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Saigon Notwithstanding

RICHARD A. FALK

Depression Warning

Out on the Credit Limb

MICHAEL TANZER

'EYE-CROSSING—FROM BROOKLYN TO MANHATTAN'

A Poem by Kenneth Burke

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LETTERS

virtue gap

Arlington, Va.

DEAR SIRS: To those who believe that a man's views can never be more than the sum of his experiences and interests, Carl Cohen's article, "Democracy and the Curriculum" [*The Nation*, Mar. 17], must have been especially rewarding. It was an excellent illustration of how a good man encased in the academic cocoon is prevented from seeing the current turmoil in its proper perspective.

For those of us who still have faith in the ability of one man to see all of reality despite the limitations of his particular occupational bag, Kingsley Widmer's article, "Rebellion as Education" [*The Nation*, Apr. 28], came just in time. Widmer's is the first piece I've read which pins the student unrest on the shortcomings of the university itself, which, like some labor unions, is culpable not so much for its absolute vices, which pale beside those of the larger society, but because of the widening chasm between its professed virtues and its practical operations, which Widmer so clearly and courageously chronicles. A priesthood disguised as an intellectual community is not a pleasant sight, but turning one's gaze from it will not make it disappear.

In further support of Mr. Widmer's position is the fact that the two articles reveal the professor of English as the more competent philosopher.

James J. Treires

honor for King

New York City

DEAR SIRS: The editorial in your April 14 issue, coupled with my sadness about our nation's inattention to honoring the late Martin Luther King, Jr. prompts me to enclose this item from the *New York Post*:

> CARACAS (AP) — Venezuela has issued a series of postage stamps honoring the late Martin Luther King Jr. The one-Bolivar 22-cent stamps bear a portrait of the slain American civil rights leader.

Emma Rockwell

heart of Russia

Kendall, Fla.

DEAR SIRS: We have been told that we must establish an ABM system in our country because the Russians already have ABMs defending Moscow. There is, however, no comparison here or justification for such an assumption. Moscow is the mother, heart and soul of Russia. It is the seat of government, the nerve center of the nation . . . and the center of culture. . . . The destruction of Moscow would be far more damaging for the USSR than the destruction of any single city or target in the United States would be for us.

Moscow's ABMs could not possibly deter a determined attack by the United States, but they might destroy a single, accidentally fired missile, or they might even successfully deter a limited attack by a smaller nuclear power such as China, for example, or West Germany. There is certainly more justification for the deployment of ABMs around Moscow than for any other city in the world. It must be the primary target for thousands of nuclear warheads around the earth, many already zeroed in on it and ready to go.

And we use this as an excuse for the deployment of ABMs around our offensive Minutemen! How absolutely ridiculous, except from the standpoint of our military-industrial complex.

Reynolds Moody
Lieut. Col. USMC (Ret.)

EDITORIALS

The New Chief Justice

The likely performance of an appointee to the Supreme Court is speculative, first because appointees have on occasion created records that were both better and worse than might have been guessed from their background; and second, because the relative importance of issues can shift and new issues can and do arise. Before his appointment as Chief Justice, Earl Warren had an unenviable reputation in California on racial issues (he could fairly have been called a "racist" on the basis of some of the things he did and said during the controversy over the mass evacuation of the West Coast Japanese) and also on civil liberties (as Attorney General he not only failed to cooperate with the La Follette committee but tried to block the committee's investigations at every turn). As to the relative importance of certain issues, it may well be that church-state relationships will in the next few years become of greater concern than civil rights, on which the executive, legislative and judicial record has now been fairly well established.

But unlike Earl Warren, the new Chief Justice has been an appellate judge in the federal system over a period of thirteen years. Moreover, he has served on the U.S. Court of Appeals for the District of Columbia, where the federal courts have original criminal jurisdiction. Then, too, this appellate court handles more government cases than do those in other districts. A high percentage of the cases heard by the Supreme Court come to it from the Court of Appeals for the District. In short, experience as an appellate judge in the District provides a better than average test of how a judge is likely to perform on the Supreme Court. With this in mind, Judge Burger's record is not reassuring. He has been characterized to us by good sources, including lawyers who have argued cases before him, as pious and contentious. He has not been a unifying influence on the court; on the contrary, he has polarized opinion on controversial issues. He does not enjoy a high reputation as a scholar or legal technician; a number of inquiries about his ability as a jurist yielded a common judgment: "mediocre." In cases involving search-and-seizure, confessions, tests of insanity and political rights, he has written some disturbing opinions. There is, of course, a possibility that Judge Burger's appointment—and the other appointments that President Nixon will make—may yield a windfall benefit: if the new appointees, who will probably all be conservatives, were to reaffirm, at least in general, recent Supreme Court decisions in so-called "law and order" cases, they would dispute much of the recent criticism that has been leveled at the Court.

Central Casting would have approved the appointment of the new Chief Justice—voice, appearance and manner qualify him for the role. But on the basis of his record *as an appellate judge* there is little reason to believe that he will provide the Court with the leadership it needs and that Chief Justice Warren provided. Despite the fact that Warren, too, has mediocre skills as a jurist, he exhibited fine qualities—acute political judgment, a sense of social

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justice, the capacity to lead and unify the Court. His experience in California stood him in good stead, for if a politician has the right qualities to begin with, California can be a splendid training ground for national leadership. Chief Justice Warren had compassion for the poor, for social cripples (the lame, the halt, the blind), for the aged, for racial and other minorities (an understanding acquired after his appointment), for those who work for a living. He also brought to his office high personal integrity, an absence of partisanship, a basic respect for people and what might be called a practical view of things. These and other qualities made him a much greater Chief Justice than there was any reason to expect he would be at the time he was appointed. We are grateful to him and wish him well. With regard to his successor, as with other appointments for which it is difficult to muster even two cheers, there remains what has been called "the right of prayer." We pray he will not be as inadequate as his judicial record seems to predict. If he surprises us, as his predecessor did, we shall again be grateful.

Etymology of 'Honorarium'

Words take on new meanings over time and it often happens that these slip up on us so gradually that we are unaware of the change. When circumstances do force us to look at such a word, its new connotation may be most revealing. "Honorarium" is a case in point. Even the latest and most authoritative dictionaries give the main definition as "a reward, in recognition of acts or professional services for which custom or propriety forbids a price to be set." Clearly, this pertained to a situation in which a distinguished person, say a college president (in a day when no one thought of breaking into such a dignitary's office or setting fire to his shirt tails) or a minister (the two were often one and the same) was asked by virtue of his character and achievements, to deliver words of such wisdom that a price could not be set upon them. However, as a token of gratitude and good manners, an "honorarium" of, say, $25 was extended in an envelope, which the recipient would not think of opening until he was in his carriage on the way home. Bargaining, of course, would have been *streng verboten*.

As time passed, inflation prevailed and the linkages between men in society became more extensive and took on the characteristics of mass culture, the meaning of "honorarium" began to change, especially when scholarly lectures, or series of lectures, were involved. Obviously such assignments required a substantial amount of preparation, which the candidate could not well undertake without compensation. Yet the honorarium was still not a price for a service but the icing on an honor (being invited to address an august assemblage), and on the part of those addressed a small expression of gratitude.

The current meaning of the word is radically different. There is bargaining, definitely, though not always by the prospect. Most of those who regularly receive such invitations refer them to a lecture agent who gets the very best price he can. It may be Harry Walker, Inc.,

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American Program Bureau or some other, but the basis is as commercial as, say, buying futures in soybeans. Most of the income revealed in the Congressional reports of lecture fees received by members of the House and Senate is of this character. When, for instance, Barry Goldwater (between terms in the Senate) received $66,873 through Harry Walker, Inc., the ancient meaning of honorarium had completely disappeared. Mr. Goldwater was making political speeches to political audiences; even so, he expected to be handsomely paid. About the only people nowadays who deliver papers, or lecture, at no fee, are scientists and engineers, speaking before technical societies, and they usually derive an indirect benefit in the form of career promotion.

The situation changes still further when the organization doing the inviting is, say, the National League of Investment Savings and Loan Associations or the National Forest Products Association, and the honored guest is, say, Sen. John Sparkman. As reported in *Newsweek* (May 26) no conflict of interest was involved in his receipt of a $1,000 fee in these two cases. "I talk very straight when I make a speech like that," the Senator expostulates. "I tell it to them like it is. It would be different if I buckled down and did their bidding." Mr. Sparkman's chairmanship of the Senate Banking and Currency Committee naturally makes him a speaker whom the investment and loan trade association is particularly eager to hear, and his chairmanship of the Senate Housing subcommittee is bound to lend his words particular weight with the wood industry. Yet the head of an agency in the Executive branch of government would not expect, and probably would not accept, a fee for addressing such gatherings.

It is a happy relationship all around. The National Forest Products Association issued a press release saying that, thanks to "the forthright action" of Senator Sparkman and other members of the Senate, it had succeeded in getting access to previously untouched forest lands. The release praised Mr. Sparkman for introducing a bill he had not yet introduced and sections of his speech to the association were identical with the language of the release. This is not telling it like it is but telling it the way they want it told. And an honorarium besides?

Errand to Midway

Apologists for the Nixon Administration are trying to make it seem that the President's meeting with President Thieu at Midway on June 8 is part of the orderly progress toward peace in Vietnam. But Mr. Nixon was supposed to deliver a commencement address at Ohio State University on June 7 (the graduating students and their guests may now have the dubious pleasure of hearing Spiro Agnew), and the mid-Pacific meeting is obviously an emergency measure to quell another attack of Saigon tantrums.

The question that leaps into any sane observer's mind is why anyone in Washington should give a tinker's dam about the feelings of the Thieu-Ky faction. Why should the President of the United States humiliate himself by flying halfway around the world to mollify a despot who rules entirely under the protection of our military? The answer of course is that Washington cares nothing about Thieu and his gang; it is interested only in saving its own face (see the analysis by Richard A. Falk, p. 689).

Saigon has been blackmailing us with face for years, and will continue to do so successfully as long as our leaders persist in talking of an "honorable" peace. Thieu does not want peace, he wants victory; indeed, his very life depends on victory—or since that is impossible, on continuing a battlefield stalemate in which nothing moves but the steady flow of blood. Quite literally, Thieu and Ky live on other men's blood, but it is not their fault—it is ours that we put them there. And since it passes the resolution of Nixon—as it passed the resolution of Johnson—to admit that America could make a mistake so enormous and so lethal, Thieu can snap his fingers and our President will scrap his schedule and come running.

Sanity and Courage

When a great nation jettisons its ideals and enters an era of corruption, violence and insensibility, those who truly love their country are prone to despair. Whatever they do seems useless; the process of degeneration goes on. There are few in places of power to speak for them; at their own level they are surrounded by the vast majority of the self-seeking and apathetic.

It is heartening, then, when a new, prominent figure joins the protesters, and the more heartening when he is young and politically in the ascendant. Sen. Edward M. Kennedy has assumed that role with a boldness and acumen that is rapidly transforming the Washington scene. Within a few days he laid impious hands on the oil industry, sacred to its numerous devotees in the Congress, lectured the National Aeronautics and Space Administration at a ceremony in honor of a great American rocket pioneer, and took on the Pentagon and President Nixon in a stern remonstrance over American lives lost in a senseless field operation in Vietnam. More generally, he attacks the foreign policy which leads to such disasters.

The petroleum industry, price-fixed from top to bottom, mulcts consumers of billions of dollars every year. Kennedy asked why it should be further protected in its exactions by stringent import controls. At the dedication of the Robert Hutchins Goddard Library at Clark University, Kennedy said he was for the space program and spared Apollo, but saw no need for accelerated exploration of the planets and urged a diversion of funds to the pressing problems of earth. He reserved his heaviest blows for the Nixon policy in Vietnam, which so far has been but a continuation of Lyndon Johnson's disastrous course.

The particular occasion for the Kennedy blast was what the Commanding General of the 101st Airborne called "a great victory by a gutsy bunch of guys" at Aphia Mountain on May 20. The "great victory" cost forty-three American dead and 290 wounded; enemy dead were put at 426, a somewhat less favorable ratio than usual, despite the fact that little was left of the crest of the mountain after the American air strikes. Why this hill had to be taken after Mr. Nixon had declared that the United States does not seek military victory in Viet-

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nam, only the Pentagon knows—and perhaps not even the Pentagon, since the operation may have been conceived and ordered by the U.S. Command in South Vietnam.

Senator Kennedy's characterization was that this bloody assault was "senseless and irresponsible"; American lives, he declared, "are too valuable to be sacrificed for military pride." Rising in rebuttal, Sen. Hugh Scott made a lame rejoinder to the effect that neither he nor Senator Kennedy was on the battlefield and therefore should not try to "second-guess" the military. Echoing the President, he described the strategy as one "essential to maintaining the military posture while we talk for peace." At the Pentagon, military officers were described as "bristling"; their version was that the hill commanded the Ashau Valley, a key North Vietnamese infiltration route.

Why don't they hold it, then? A dispatch in *The New York Times* (May 21) stated that "military sources in Saigon conceded privately that, once the operation was finished, the American troops would leave the area and, in three weeks the N.V.A. (North Vietnamese Army) will be right back in there.' " The dispatch concluded: "Army officers are sensitive to the charge that their forces simply move into an area, fight the enemy and then withdraw, leaving it to the enemy to reoccupy." Since this criticism so irritates them, it would be interesting to know what impels them to keep on devising such exploits. Does the President want them to do it? If not, can he compel them to desist? With Senator Kennedy asking the questions, Mr. Nixon will have to find some answers.

Reagan's Revivalists

It has taken Ronald Reagan only a few years to reduce California's state university and college system to a shambles, despite his pledge to bring them law and order. The budgets for the coming year are abysmally low—at a time when there is increasing pressure upon these institutions for larger enrollments and more services (involving more money) and when the state is on the edge of a potentially long and terribly hot summer.

Now Reagan's "Revivalists," who dominate the state Board of Education, have turned their attention to the public school system, with results that border on the ludicrous. The board adopted unanimously a report which is dedicated to bringing "morality" to the public schools, morality being defined as hostility toward the Supreme Court, the UN, mental health and humanism, which it labeled "a 20th-century synonym for atheism."

On the more positive side, the report emphasizes the contributions of the Bible, George Washington, Abraham Lincoln, William Buckley, Jr., and J. Edgar Hoover, as well as God—who in His infinite wisdom brought Ronald Reagan (and George Murphy) to California. Darwinian evolution will no longer be taught as a "fact" but as a "theory"—on a par with the seven days of Genesis. As Dr. John R. Ford, a Reagan appointee, said, the theory of evolution "has been a great step in taking away from the sense of morality of our children by saying that God cannot do the things the Bible says he can do."

There will be public hearings on this report before it can be adopted, but there is little doubt that the board has already made up its mind and that the hearings will be a formality. Even so, they should provide an entertainment to rival Disneyland.

Westinghouse Is Sure

The cigarette industry and its henchmen know all the tricks. The one they got away with in 1965 was to persuade Congress, in exchange for an ineffectual warning on the cigarette packages, to adopt a pre-emptive clause which prevented the Federal Trade Commission and the Federal Communications Commission from interfering with cigarette advertising. This saved the industry from significant restriction for four years. Now Congress has a choice among three courses of action. The one for which the industry is lobbying is extension of the present law, which expires on June 30. Alternatively, Congress could adopt new restrictive legislation, such as toughening the package warning and forcing its inclusion in all advertising. A third course would be to let the present law expire, thereby clearing the way for the restrictive regulations which both the FCC and the FTC say they will adopt unless Congress ties their hands.

The last alternative has the approval of John Banzhaf III, the young lawyer who almost single-handedly impelled the FCC to order anti-smoking, anti-commercials on TV under the "fairness doctrine." But Congress is more likely to opt for some phony "compromise." Pressure from the industry is concentrated and severe, whereas the flow of citizen mail in support of restrictive action is light. Duplicity permeates almost every word emanating from the industry and its spokesmen, who include members of Congress from the tobacco-growing states. "If tobacco is bad," one Representative argues, "its sale should be stopped, not just its advertising." No one is making any such proposal: one experience with Prohibition was enough. The Representative's tactic is to suggest the impossible and unnecessary as a means of obstructing the necessary and possible.

In point of fact cigarette advertising on television probably is on the way out. Public sentiment is swinging, if not decisively against the cigarette habit, certainly against its encouragement on the publicly owned airways. Early in May, the Canadian Broadcasting Corporation banned all tobacco advertising on its TV and radio networks at the expiration of current contracts. The private Canadian Television Network has not yet decided whether to follow C.B.C.'s lead, but there is reason to believe it will do so. In this country, N.B.C., the most business oriented of the networks, is fighting back, but C.B.S. has set up its 1969 budget without including the $59 million it received from cigarette advertising in 1968. The Westinghouse Broadcasting Company has gone further: it has informed the FCC that it will no longer accept cigarette advertising. It feels that it cannot comply with the FCC ruling that at least one anti-cigarette spot must be run for every three cigarette commercials. You can be sure with Westinghouse: it sees the handwriting on the wall.

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DEPRESSION WARNING

OUT ON THE CREDIT LIMB

MICHAEL TANZER
Mr. Tanzer is head of Tanzer Economic Associates, a consulting firm in New York City. He is the author of The Political Economy of International Oil and the Underdeveloped Countries, *just published by Beacon Press.*

In recent years economists of all political persuasions have tended to depreciate the threat of cyclical instability in the U.S. economy. The Keynesian theory of the New Economics, apparently "proved" by the relatively steady growth of the U.S. economy since World War II, has almost silenced the skeptics and seems to promise that a major economic depression is now impossible. However, the fabled power of government to prevent any such major downturn in the present U.S. economy is at best untested and may well be nonexistent. Moreover, the widespread belief in the infallibility of government support, which has by now percolated down to most business groups, in itself increases the likelihood of an eventual economic crisis. Believing the government can't and won't "allow" a breakdown, individuals and firms embark on far more risky courses than they would have considered acceptable in earlier periods of prosperity.

The basic danger to the U.S. economy is the one ever present in any capitalist economy—the possibility that *monetary* conditions will get out of line with *physical* production and consumption needs. In my view, a crucial source of potential imbalance results from the tremendous post-World War II growth of credit which has helped fuel the real economic growth in production and consumption.

In a sense the last twenty-five years have witnessed a new development of capitalism, what one might call "credit capitalism." Earlier, the most important developments in capitalism were in the area of production (assembly lines and mass manufacturing), and somewhat more recently in the area of marketing (advertising, mass distribution, etc.). Today the emphasis in the business world is increasingly on the selling of credit. As Hillel Black noted in *Buy Now, Pay Later*: "Credit has become an end in itself. In many instances more profit is derived from credit than from the goods and services being sold."

"Credit capitalism" is really the highest and purest form of capitalism. For one thing, nothing tangible is produced, so that there are few labor problems; computerized records are substituted instead. Second, credit capitalism has the potential to be automatically self-perpetuating, in that interest on the debt continually adds to the amount of debt outstanding. The ultimate success lies in getting a person so addicted to credit that he borrows more money simply to pay off his old debt. As a small loan company businessman stated to Mr. Black:

> The key to our success, and that of any loan company, is to increase our loans outstanding. As soon as the account is about to liquidate, we take immediate steps to renew the loan up to $500, the maximum allowed in this state. One of the things we do is to find out if the customer has other debts. Then we call him up and offer to consolidate them. Our best customers, I might add, are the old timers. At least we know their habits. The idea is quite simple. Prevent the customer from getting off the hook.

A consequence of this shift toward "credit capitalism" is that the economy becomes increasingly "illiquid." This has been happening here in the postwar period, and as a result our economy is increasingly vulnerable to the danger that a small downturn will develop into a major crisis. I shall try to show why it is unlikely that the government could contain the spread of a crisis based on this fundamental financial weakness.

In saying that the economy has become increasingly "illiquid" I mean the following. At any given moment there exists an amount of legally fixed obligations (debt repayment plus interest payments) that must be met. The supply of money which exists to meet these obligations consists of cash and currency in circulation, plus the checking accounts (demand deposits) at commercial banks. On top of this monetary base is a superstructure of various "liquid assets" which can more or less readily be converted into money to meet the obligations, either by selling them on the open market (corporate stock) or by demanding cash for them (savings deposits).

The economy tends to become less liquid when one or more of the following occurs: the ratio of money to debt falls; the ratio of money to liquid assets falls; within the liquid asset superstructure, the proportion which can more easily be liquidated falls.

What distinguishes a "less liquidable asset" from a "more liquidable asset"? For the purposes of this discussion the critical distinction is whether or not the attempt by a significant number of individuals or businesses to turn the particular asset into money would tend to have a negative effect on real economic activity. Alternatively, assuming that for some reason the economy starts to sag, could the effect of a mass attempt to exchange a particular asset for cash be offset by the United States Government without serious negative consequences in the real economic sphere?

It is essential to recognize here that, while for an individual person or firm a particular liquid asset may be viewed as equivalent to cash, it may not prove so if many individuals or firms try to convert it at the same time. Thus, the distinction here is between liquidity as a subjective, individual phenomenon and liquidity as an objective, social factor.

Finally, a real danger point is reached when the ratio of debt to money is so high that debtors seeking to obtain money to repay their debt raise the cost of borrowing new money to the point where it reduces real economic activity. This could lower both the existing money supply and the market value of important liquid assets (e.g., corporate stock), increasing the illiquidity problem.

With this further deflation of financial values, real economic activity tends to slow. Purchases of goods and serv-

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ices fall off because of reduced liquid assets, and this slowdown, combined with chaotic monetary conditions, leads business to put brakes on its production plans. This leads to unemployment, the lowering of income and purchases, further unemployment, and so on until a depressed floor is found.

To estimate how real is the danger of such a monetary crack-up, one must examine the postwar changes in the liquidity position of various sectors of the economy, because the liquid position of one group does not offset the illiquid position of another. Thus, if one looked simply at gross changes in the liquidity picture for the economy as a whole in the postwar period, one could be reasonably optimistic. In 1945, total financial assets for all sectors in the economy were $800 billion, while total financial liabilities were $650 billion, leaving net assets of $150 billion, or less than one-fourth of liabilities. By 1967, total financial assets of all sectors had quadrupled to $3,380 billion, while total financial liabilities had increased only to $2,560 billion, leaving net assets of $820 billion, or almost one-third of all liabilities.

However, these figures mask an ominous decline in the real liquidity position of individual consumers during the same period. The net worth of individuals has increased fourfold, but in 1945, 14 per cent of all household financial assets were in currency and demand deposits, and another 19 per cent were in U.S. Government securities; in other words, one-third of individual assets could be readily turned into cash with no contracting effect that could not be offset by Federal Reserve Board purchases of government bonds in the open market. By 1967 this highly liquid component of household assets had declined to only 11 per cent.

On the other hand, back in 1945 corporate stock accounted for only 30 per cent of all household assets, and the least liquid component of household assets—life insurance and pension fund reserves—accounted for only 13 per cent. By 1967, corporate stock alone made up 45 per cent of household assets, while the illiquid reserves increased to 20 per cent.

These changes in the composition of assets are particularly significant because of the growth pattern of household liabilities. The two most important components, mortgages and consumer credit, have both increased more than sixteen times since World War II, with the total household mortgage debt amounting to $240 billion at the end of 1967, and consumer credit standing at $100 billion. (Bank loans and other liabilities increased less than seven times, to $45 billion in 1967.)

There is no doubt that this tremendous upsurge in individual borrowing has been a significant factor in the recent growth of the economy. For present purposes, however, the point to note is that the kind of individual debt which has increased most rapidly has been that usually incurred by the lower- and middle-income classes. The big increase in individual assets, on the other hand, has come in holdings of corporate stock, which have risen from $110 billion in 1945 to $730 billion in 1967, and are owned overwhelmingly by the upper-income class.

Steady economic growth, by increasing individual incomes and hence borrowing power, has permitted the great increases in household debt, but in effect this debt borrows from potential economic growth in the future. In no area has borrowing made deeper inroads into future purchasing potential than in residential housing. Household mortgage debt outstanding, most of which was incurred in the last twenty years, is now equivalent to the cost of building more than 12 million new $20,000 homes. Since we build 1.2 to 1.6 million new housing units per year, it is evident that close to ten years' worth of home construction has already been "borrowed."

More immediately, this growth of mortgage debt leads to potentially great financial and credit instability. M. Carter McFarland of the Federal Housing Administration has charted in detail the declining quality of residential mortgage debt in the postwar period. (See *The Journal of Finance*, May 1966.) Home owners have been increasingly borrowing relatively more on their new houses. When the FHA was established in 1934, the maximum loan-to-market value ratio for a mortgage was 80 per cent; by 1950 the actual ratio for new single family homes had increased to 88 per cent and by 1964 it was nearly 95 per cent. At the same time, the maximum repayment period has been extended from twenty to twenty-five years in the 1930s up to thirty-five years today. (FHA government-insured loans have decreased from about one-quarter of all residential loans in the thirties, and 45 per cent during the war, to only 13 per cent in 1964.) Summing up, McFarland notes that these trends represent

> a rather revolutionary departure from the time-honored lending theory that the soundness of mortgage lending is directly related to the extent to which the value of the mortgaged property exceeds the amount of the mortgage debt. . . . *High ratio mortgage leading, particularly without government insurance, represents an act of faith in the stability of the economy, in relatively full employment, and in the stability of real estate values.* (Emphasis added.)

These mortgage trends are particularly dangerous because the banking and financial system itself has become increasingly illiquid, with the great growth in its relatively illiquid assets coming precisely in the area of mortgage debt. In 1945 all banks together had total deposit liabilities of $110 billion, against which their holdings of mortgages equaled $14 billion, or only 13 per cent. By 1967 the deposit liabilities had quadrupled, but bank holdings of mortgages had increased sixteen times, to $230 billion, or more than 50 per cent of deposits. As a corollary, the ratio of banks' liquid assets (defined here as cash and U.S. Government securities) to deposits of individuals and corporations, has dropped sharply, from 129 per cent in 1945 to 35 per cent in 1967. The savings and loan associations, which are the country's fastest growing financial institutions (total assets increasing from under $10 billion in 1945 to $140 billion in 1967) are the most dependent upon mortgage debt; it accounts for 85 per cent of their total assets.

Thus, mortgages are the focal point for the destabilizing forces within the economy. On the one hand, interest and principal repayments on total mortgage debt,

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which at present amount to perhaps $40 billion per year, are an important claim on the earnings of millions of lower- and middle-income families. On the other hand, the banking system has become heavily dependent upon these mortgages as their ultimate security for deposits. Meanwhile, the quality of mortgage debt, as traditionally measured, has seriously deteriorated.

Thus far the structure has not broken down, and the most important reason, probably, is the continuous price inflation since World War II. From the home owner's point of view, general inflation has the great virtue of making it easier to meet fixed interest and debt payments. While for the same reason general inflation is undesirable from the mortgage lender's viewpoint, inflation in the real estate market is a comfort to him because, if the borrower defaults, he will not lose out. Thus McFarland has this to say about the period of rapid inflation in housing right after World War II:

> Indeed, in such a market it was difficult for any party to the transaction to make a mistake. Mistakes in judgment on the purchaser's part were quickly covered up by the rapid inflation of the price of his house. If he ran into personal difficulties, lost his job or was transferred out of town, he could usually bail out of the mortgage obligation he had undertaken and frequently do so at a profit. The heavy insulation provided by rapidly rising values and the ready saleability of properties also protected the lender against the normal hazards of mortgage lending, and against mistakes he may have made in appraising the property or the borrower.

If it is true that inflation has been a crucial element in maintaining the past financial stability, then the prospects for the future are foreboding. Since inflation erodes the value of debt, the continuing growth of private debt in recent years has been predicated implicitly on the notion that "the creditor is always a sucker." However, it is clear that dollar creditors, both foreign and domestic, are no longer willing to play that role; hence the current dramatic tightening of money, the rapid rise in interest rates, and the gold and dollar crises. Foreign creditors have already taken initial steps, using as a lever their vast hoards of gold and dollars, to force U.S. price stability (including the pressure for an income tax surcharge and a reduction in the scale of the Vietnamese War). [See "Arena of Gold: Europe Defies the Dollar," *The Nation*, September 23, 1968.] Thus the weak international monetary position of the United States further jeopardizes its internal financial stability.

In the interim before any anti-inflationary pressures can take hold, the situation is further aggravated by the fact that the tremendous past growth of inflation and debt are accompanied by, and also engender, expectations of ever increasing economic prosperity. Individuals borrow freely, blithely assuming that their future incomes are sufficiently secure to meet increased obligations. Lenders, bathed in the same euphoria, cut corners and lend to virtually all comers. Exuberant expectations lead to exuberant activities which fuel inflation and produce further exuberant expectations and an ever increasing speculative atmosphere.

Normal standards of economic calculation fall by the wayside. Thus it is perhaps not surprising that self-styled

Noonan

"conservative" investment managers, distinguishing themselves from the so-called "go-go" mutual funds, seek only a "moderate" 50 per cent appreciation of capital in eighteen months. Similarly, real estate companies in California "realistically" look forward to appreciations in land prices of 35 per cent a year. Most dangerous indicator of all, the commercial banks, repositories of vast investment funds, in an attempt to stem the loss of these funds to the highly successful "performance" mutual funds, increase their own speculative investment activities. Given an economy which all economists agree cannot grow faster than 3 to 5 per cent per year without inflation, and with creditors generating enormous pressures for an end to U.S. inflation, financial escapades based on expectations of 25-to-50 per cent per year growth rates cannot be long sustained. As one radical economist who foresees trouble states:

> The growth of inflation-powered speculation, and the profusion of profit mirages which it conjures up, blur the normally sharp eyes of the market. The growing blindness produces all sorts of disguised maladjustments and malfunctionings in the deteriorating process of economic discipline. . . . This cumulative impairment of the disciplinary process must, sooner or later, produce a sharp upward leap in the inner disorganization of the economy to crisis levels . . . we must hazard the prediction that one of the casualties of this crisis will be the Keynesian theory of the crisis-proof monetary management of the capitalist economy.
>
> Jacob Morris, *Science and Society*, Fall 1967

Why is Keynesian economic policy unlikely to meet the kind of economic challenge discussed above? Fundamentally it is because paper monetary values have gotten out of line with physical reality, and the classic capitalist solution is deflation, more commonly known as depression, which destroys some of these paper values to restore the balance. Thus even David Bazelon, who argues in his analysis of the U.S. economy (*The Paper Economy*) that "The Federal government has underwritten the Pa-

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per Economy—and the underwriter will not permit a really effective deflation," also states:

> The Paper Economy is like a balloon, which is why the key terms are inflation and deflation. . . .
>
> We have not yet figured out a workable substitute for the ritual of bankruptcy and other forms of price reduction and deflation—for letting the air out of the balloon.

The government tools available for fighting a depression fall into two general (and overlapping) categories: preventive measures, particularly in the monetary sphere, aimed at generating confidence and preventing panic (manipulating the monetary supply, insuring bank deposits, etc.); and curative measures, particularly in the expenditure area, aimed at maintaining consumer purchasing power (public works programs). Part of the problem to date with the confidence-generating preventive measures is that they have engendered overconfidence, making the cure, given an initial shock, even more difficult.

In addition, the enormous growth in the postwar period of liquid assets outside the direct control of the government has greatly weakened its influence in this area. While during inflation this situation necessitates relatively massive and dangerous monetary contractions by the government to induce a slowdown, during deflation it makes it much more difficult for the monetary authorities to "reinflate" the economy. In any event, monetary experts generally agree that with confidence down during a deflationary period, monetary policy is of limited value, being likened to "pushing on a string," i.e., you can lead the horse to the bank but you can't force him to borrow.

Finally, a basic weakness of expenditure measures is that they are generally slow to be undertaken, needing a recognition of their necessity, Congressional approval, etc. Monetary crisis and panic, on the other hand, spread like wildfire. Furthermore, the very process by which the government would use Keynesian theory to stimulate investment and employment—massive deficit spending or increasing the money supply—can itself lead to the erosion of private sector confidence in its own future, and to a further decline in private economic activity.

In theory, the government could overcome these problems by hiring indirectly so many workers that it would effectively take over all economic activity. Such a step, of course, would mean the end of the capitalist system as we know it, and perhaps usher in an era of true state capitalism—probably of a repressive variety. However, the chaos and distress caused by the severe deflation itself would undoubtedly generate such political instability that it is difficult to forecast an ultimate outcome.

ELEMENTS OF SETTLEMENT

SAIGON NOTWITHSTANDING

RICHARD A. FALK

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Richard Nixon's speech of May 14 has dashed all genuine hopes of bringing peace soon to South Vietnam. It could have been delivered, with hardly a change of platitude, by Lyndon Johnson. It is deeply disquieting that the same political falsehoods appear to dominate official America, whether Democrats or Republicans occupy the White House. Considering the true state of affairs, it is altogether grotesque that a new President, not committed to old policies, should contend in 1969 that the essential objective of the war is the self-determination of the South Vietnamese people, and should go on to define self-determination as the repressive government of Nguyen Van Thieu. Surely Mr. Nixon must know that the most responsible and patriotic *non-Communist* political leaders in South Vietnam are jailed, hiding in the jungles or living in exile. To speak of free choice for the South Vietnamese people, and at the same time to affirm Thieu's regime, is to give fresh life to the tragic contradiction that has all along provided the false moral basis of the American intervention. The only possible way for the United States to work toward self-determination and peace for Vietnam is to withdraw support for Saigon's policies and leadership through the immediate, phased withdrawal of American troops. At this stage in the war it is essential for Americans to grasp two elements of the present situation:

(*1*) That the Saigon regime headed by Nguyen Van Thieu does not want to end the war by political compromise; that therefore, as long as progress in Paris depends on the assent of Saigon, or until that regime can be induced to make changes in its leadership and policies, the prospects for a negotiated end of the war are virtually nonexistent.

(*2*) That the United States should not seek to end its involvement in Vietnamese affairs without simultaneously seeking peace and rehabilitation for that country.

On May 8, 1969 the National Liberation Front made a Ten-Point Proposal in Paris to bring the war to an end. This proposal is a serious document that deserves a direct and positive response. The failure of spokesmen for Washington or Saigon to respond in kind has disclosed the persisting unwillingness of our side to end the war in a reasonable fashion. A prompt, positive American response to the NLF proposal could probably have brought heavy fighting to an end in a matter of weeks. President Nixon must be held accountable for his failure to make such a response. It now appears clear that

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Nixon's effort to end the war is based on finding a settlement that is acceptable to the Saigon regime. In my judgment, the only compromise solution acceptable to the Thieu-Ky-Huong leadership in Saigon would be a *disguised* victory. A compromise would necessitate power sharing; a disguised victory would involve giving postwar control of South Vietnam to one of the factions contending on the battlefield. As most of the world knows, the real victory in South Vietnam was long ago won by the NLF, and only the massiveness of the American military intervention creates a situation in which the "winning" side is compelled to sue for compromise so as to bring the awesome destruction to an end. Precisely because the situation is so unfavorable to the Saigon regime, its only hope for political survival is to keep the Americans in Vietnam and the war going at full scale.

Many Americans may still believe that the Thieu regime is leading some broad coalition of forces opposed to communism. The truth is that the jails of South Vietnam contain at least 20,000 non-Communist political prisoners—including many of the most prominent Buddhists, students, urban leaders—in fact, virtually all those outside the NLF who have had the courage and compassion to advocate and work for a compromise ending to the war, including the moderate runner-up in the 1967 national elections, Truong Dinh Dzu. It makes no sense for Saigon to imprison its only natural political allies if it has any intention to share national power with the NLF.

Nixon's policy toward Vietnam is a composite of three main ingredients:

(*1*) *The Paris Approach*: Obtain agreement as to a political settlement on terms that are openly or secretly negotiated in Paris and are agreeable to all *four* parties. This approach cannot produce results until the present Saigon regime broadens its political base to include third-force groups that favor a negotiated compromise with the NLF. The present leadership in Saigon insists on a total control of the reins of South Vietnamese power that is tantamount to demanding an NLF surrender. There is no reason, after years of struggle and sacrifice, why the NLF and North Vietnam should negotiate such a settlement.

(*2*) *De-Americanization*: To phase out the American involvement by building up the armed forces of Saigon (ARVN) to the point where they can carry on the war alone or with much less American help. Such a "solution" is unlikely to get very far because the South Vietnamese armed forces, despite their size, still have a low morale and are unwilling to fight hard or often. The war was decisively "Americanized" during 1965 because the Saigon armed forces were being badly beaten by the NLF. It is not plausible that if the fighting were eventually turned back to ARVN, it could overcome its military inferiority and its isolated political position. In fact, the evidence suggests that Thieu has isolated his military government still further: observers of the Saigon scene are now noticing the imperial pretensions of Thieu's leadership and comparing it with the behavior of the ill-fated Ngo Dinh Diem in the months before his assassination. To supply Thieu with more and more modern equipment is to build up a military machine to fight against most of Vietnamese society, not just against the NLF. De-Americanization represents a much too belated effort by Washington to avoid responsibility for the outcome of the war. The fighting would go on without abatement but American losses would be eliminated, and if the Saigon regime should eventually lose or collapse it would not be our fault. Such an approach is slow and it is immoral; but it has been repeatedly stressed in word and deed as an essential part of Nixon's Vietnam policy.

(*3*) *The Manila Approach*: To keep up relentless American military pressure until the DRV-NLF decides to cut back and the violence "subsides." This was Lyndon Johnson's strategy for ending the war and was stressed in the militant documents issued at the Manila Conference in 1966. The Manila approach presupposes that South Vietnam is a victim of aggression from the North rather than being in the throes of civil war in the South, and places responsibility on Hanoi for ending the war by reducing the violence and allowing the anti-Communist government in Saigon to stabilize its control. It is a conception that still appears to be influential among policy makers of the United States Government; it was openly avowed by U. Alexis Johnson, the third man and top Asian expert in the State Department, during his confirmation hearing before the Senate Foreign Relations Committee. It underlies those periodic pleas from generals and bureaucrats in Saigon for just a few more months of maximum military effort. There are many signs that Nixon has been tantalized by the Manila approach, but after all these years of standing up to the United States it seems doubtful that the NLF-DRV will suddenly put down its arms and leave the forces of reaction in undisputed control of South Vietnam. Such an outcome is made more unlikely because the NLF still dominates the Vietnamese countryside and the war grows ever more unpopular in the United States.

Seles, Novi Sad (Yugoslavia)

We come, then, to the overwhelming question: how, in light of this analysis, can the war in Vietnam be brought to an end? It is generally conceded that the United States Government is unwilling at this stage to admit its mistakes and withdraw in the spirit of acknowledged failure. Too much blood and treasure have been wasted; too many American reputations, fortunes and careers have been and are continuing to be built on

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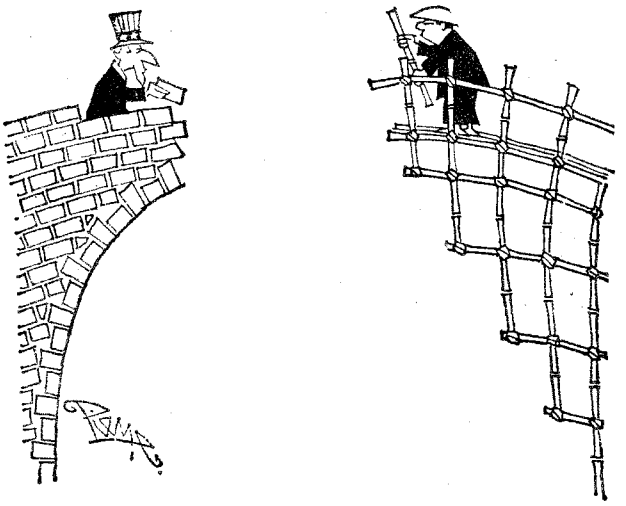
advice in Saigon and Washington about how to defeat the NLF. Because the error has been so momentous the scandal must be kept from view. This is the initial, somewhat alarming but critical, fact that a proposed settlement must encompass if it is to have any prospect of being acceptable.

The second critical fact is that there is now no way to win the war for Saigon. More blood, more treasure will produce more devastation, but not victory for the American side. As it is, Vietnam is being devastated at a rate that no country has ever endured over such a long period. We use cruel and superior weapons to inflict heavy casualties on the Vietnamese and then complain bitterly about adversary tactics that produce our own far smaller, but still very considerable, losses. The military-political consensus in Washington remains committed to the proposition that, although we cannot defeat the NLF, we can and should indefinitely prevent its victory. This stalemate is costly in many ways and, therefore, creates an incentive to find a political settlement that preserves the military standoff. The United States Government has contended since March 31, 1968 that it was finally ready to find such a negotiated compromise, but it has yet to express its readiness in realistic terms. To keep the government of Thieu-Ky-Huong in power is *not* to achieve compromise. A compromise entails a sharing of power that corresponds to the political and military situation in Vietnam. It is essential that Washington begin to define a compromise in these terms and put it forward with as much explicitness as the Ten-Point NLF Proposal.

The third critical fact is that the United States will find it even harder to prevent an NLF victory in peace than it has to prevent an NLF victory in war. Given the political imbalance—based on the dominance of the forces of anti-traditionalism and anti-neo-colonialism—it is hard to design a compromise that could be guaranteed to hold up very long after American troops leave Vietnam. Perceiving, though not acknowledging this situation, Washington searches for some way, in the course of negotiating a settlement, by which the imbalance can be effectively denied expression, some formula that seems certain to prevent the assertion of the NLF dominance in postwar Vietnam. The search is futile as long as third-force politics are repressed by Saigon. And, of course, for the Saigon regime more than their reputations would be lost by a compromise—their positions of power, and quite likely their lives would be placed in jeopardy so severe that no amount of reassurance on our part or military strength on their part could produce confidence. The Saigon regime simply cannot risk peace—especially if peace entails disarming their forces and losing unilateral control over police and militia units. And unless peace implies that, the NLF would have to be wildly self-destructive to participate in the arrangement.

A peace proposal must take all those factors into account. The United States needs desperately to acquire bargaining leverage over the behavior and policies of Saigon. It cannot be had by escalation or by prolonging the present level of stalemate. De-escalation of the American role is the only way to acquire diplomatic leverage in relation to both sides in the Vietnamese struggle. For Hanoi



Aux Ecoutes (Paris)

A Brick, a Bamboo, a Brick, a Bamboo. . . .

and the NLF, American de-escalation is itself a prime goal, since it involves, above all else, the partial withdrawal of American forces. For Saigon, de-escalation is a way of underlining the writing already on the wall: Either the regime comes to support the search for a compromise settlement, tendering its good faith by releasing the non-Communist political prisoners and providing an atmosphere for the practice of third-force politics, or the Americans will indeed go home and leave the regime exposed to the NLF and its *other* adversaries. De-escalation is a process and an attitude, not a single event located in time. Hence, one side—the NLF-DRV—has an incentive to encourage the process and reward the attitude, and the other side—the Saigon regime—has an incentive (once it is convinced that withdrawal is inevitable) to broaden its base and change its attitude.

Significant de-escalation promptly undertaken is critical to a rapid settlement of the war. Beyond that, a plan for permitting peace to come to Vietnam can be stated as involving three phases:

Phase I. Incremental Withdrawals: The United States would initiate the withdrawal of its troops at a rate of between 50,000 and 100,000 every two months. The complete rationale of this process should remain publicly ambiguous. By more quiet channels of diplomatic communication, withdrawal should be loosely linked to some kind of reciprocal behavior by the North Vietnamese, at least to the extent of conveying an expectation that the DRV would refrain from major combat drives or from increasing markedly its rate of infiltration. Certain kinds of DRV initiatives in the war could presumably lead to the termination, possibly even the reversal, of the process. Hanoi could readily be informed of this negative reaction and would probably be deterred.

In our relations with Saigon we should convey the intention to continue the process of withdrawal until the regime has been dramatically liberalized, political prisoners released, and third-force political activity allowed. If these conditions were met, negotiations in Paris would be more likely to achieve agreement on a political settle-

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ment, for the newly oriented Saigon government would seek to bargain for a rapid end to the war. It is true that before the liberalization could make itself felt, withdrawal might lead to the collapse of the Thieu regime. But, in my judgment, that would be a positive achievement of the policy, not an indication of its failure. Except to protect American political sensitivity, it seems evident that the Saigon regime is not fit to govern South Vietnam or even to share in this process. Incremental withdrawal is a stage-setting prelude to a negotiated compromise that might disguise the American defeat in Vietnam for a reasonable length of time.

Phase II. The Shape of Settlement: There are several elements in a negotiated compromise of the sort that would be attainable in Paris:

(*1*) The completion of the process of withdrawal of foreign troops, perhaps on an informal basis, perhaps more formally. Reconnaissance capabilities could monitor any agreed rate of withdrawal without requiring any more complicated apparatus of inspection.

(*2*) The establishment of a partial cease-fire by agreeing to stop offensive (or initiated) operations in certain areas and by stopping certain kinds of military operations, especially saturation bombing; the gradual enlargement of the cease-fire until it becomes total at a fixed date.

(*3*) The regroupment and disarmament of NLF and ARVN main-force units in designated areas of South Vietnam. For this purpose the two forces would be located in areas somewhat separated but not in a pattern that would encourage the partition of the country. This process might be observed and reported upon by an augmented International Control Commission.

(*4*) The formation of a South Vietnamese provisional government that includes strong representation on the part of three groups: the NLF, the army and civil service, and the third-force constituencies, especially the Buddhists and the urban civilian classes. The composition of the provisional government would be determined, if at all possible, by agreement among representatives of the three principal political groupings in South Vietnam, and ratified through formal declarations issued on behalf of the United States and North Vietnam.

(*5*) A schedule and procedure for holding elections based on free political competition and certain common rules of campaigning. Elections should be held in three stages—village, district and province, and national. A commission could be established to observe and report on the conduct of these elections; it would be staffed and funded on an agreed international basis and would include observers from each major Vietnamese political party. The national elections would be held within two years after a formal cease-fire was declared, unless a majority of the commission decided to postpone the date for reasons given in an accompanying public report. The promotion of constitutional democracy should not be allowed to imperil other elements of peace in Vietnam.

(*6*) The parties to the settlement would make a pledge of amnesty; all prisoners of war would be released and exchanged, remaining political prisoners in South Vietnam would be released, and guarantees against reprisals would be made. The United States, and possibly other countries, would agree to offer asylum for South Vietnamese applicants up to 10,000 in number. A second observation group would be constituted to investigate and report upon allegations of reprisal. After a civil struggle of such cruelty, bitterness and duration, there are almost certain to be, especially at local levels, some who will seize upon the chaos of a transition from war to peace to repay old debts or to eliminate economic or political rivals. The observation group should try to keep reprisals at a minimum and to prevent claims and counterclaims about such acts from disrupting the settlement process.

(*7*) The United States should pledge $1 billion to $2 billion per year for a minimum of three years for the economic reconstruction of Vietnam, both North and South. The funds, to be administered by a small agency staffed by international civil servants, should be spent for peaceful purposes according to priorities determined by the two Vietnamese governments. The Soviet Union, possibly France, West and East Germany, Japan and others, might also be encouraged to contribute funds or other assistance.

(*8*) The reunification of Vietnam should proceed according to a schedule determined by voluntary negotiations between the two governments of Vietnam, but not commencing until after the elections of a national government in the South. In the event that elections are not held in the South, or that the elected government is overthrown, reunification can be negotiated, provided it does not take final effect prior to five years from the formal declaration of a cease-fire in the South. In the meantime, South Vietnam will follow a neutral foreign policy, enter no military alliance, allow no foreign bases or troops on its territory, and receive no foreign military assistance except that needed for internal police security. Relations between the North and South will be normalized within three to six months after the cease-fire goes into effect, allowing free travel, trade and other relations throughout the nation.

(*9*) The settlement of the Vietnamese War will be agreed to by the NLF, DRV, the United States and representatives of the provisional Saigon government. This settlement will, if possible, be guaranteed by an international conference of principal states, including China, Japan, India, the Soviet Union and the United States. At this conference an effort would be made to agree on a code of principles for the maintenance of peace in Asia.

Phase III. Sustaining Peace:

(*1*) The two observer groups could be withdrawn in whole or in part, at the discretion of the elected national government in the South or, in the event national elections are not held, at any point subsequent to three years after the cease-fire is proclaimed.

(*2*) An annual conference of the guaranteeing parties would be held to review progress toward implementing the settlement and toward peace in Asia. Particular attention would be given to the possibilities of neutralizing countries in the areas that seem vulnerable to civil strife and competing interventions. A status of neutralization would not be imposed on any country unless its constituted government sought such a status and retained the right to terminate a neutralized status after three-months' notice.

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(3) Efforts would be made to develop normal diplomatic, economic and cultural relations between the United States and all Asian countries, including North Vietnam and China. Offers of genuine compromise and peaceful settlement should be made with respect to disputes about the future of Okinawa and Formosa. The United States and the Soviet Union should pledge action to sponsor application for membership in the United Nations for all Asian states that are at present non-members, including divided countries.

This plan, given here only in general outline, seeks to initiate a process of settlement that would continue even if disrupted in certain particulars. Not too much emphasis should be placed on the provision for national elections. Few Asian countries have truly elected governments, and the polarities and intricacies of South Vietnamese society make it less susceptible than most countries, even in the absence of decades of civil struggle, to the procedures of popular democracy. Certain important related problems, such as the settlement of the Laotian war, have been left out of explicit account. It is hoped that progress toward peace in the wider combat areas of Southeast Asia could be achieved at the Conference of Guaranty or in some other more suitable diplomatic forum. Internal struggles of revolutionary intensity are bound to continue for several decades between the forces of tradition and the forces of radical change throughout the post-colonial world. These forces of radical change may or may not be identified with some variant Communist ideology, or some degree of Communist influence or leadership. These struggles will be determined primarily by the national conditions of each country, and efforts by the United States to reverse a political outcome by military intervention are bound to be costly and unlikely to succeed in any permanent sense. In fact, to intervene on behalf of the traditionalist faction is to revive the colonial phase of the struggle and is likely to shift those elements of a society that are nationalistic into the opposition. Unless a radical elite took control during the process of decolonization, there is almost certain to be a radical challenge to the traditionalist structure of the national society once independence has been achieved. Without such a challenge, poverty, disease, famine and stagnancy are almost certain to dominate the national scene.

If we are ever to understand the Vietnamese experience it is essential to perceive clearly both phases of the post-colonial revolutionary struggle: the first, to eliminate foreign influence and control and to restore the attributes of national independence; the second, to eliminate the traditional, feudalist power structure and to reconstitute the domestic political order so that modern economic and social policies can be pursued. No national revolution is complete until it passes through both phases. This kind of disruptive process is going on throughout Asia, Africa and Latin America. Communist and other ideologies try to relate to these fundamental pressures for change, but the realities and equities of a particular national struggle depend not on the abstract rhetoric or machinations of the cold war but on the capabilities and backing of contending national factions. As yet, there is little evidence that our leaders understand revolution in the Third World in these terms.

AT TWICE THE PRICE

MEXICAN AUTO SWINDLE

LEO FENSTER

Mr. Fenster, an auto worker by trade, was for twenty-six years an officer of the UAW, during which time he handled in-shop grievances and worked out agreements at the General Motors (Fisher Body) plant in Cleveland. During the last thirteen years he has made regular trips to Latin America.

When he learned that I was a retired leader of the Auto Workers union in the Cleveland area, and had for some years studied the development of the Mexican and Latin American auto industry, the bookshop owner guided me to the window and pointed to his American Motors car parked on the Avenida Insurgentes. He asked, "Why did I have to pay $5,500 for that, made in Mexico, and no air-conditioning?" It was almost twice the price of the same car in the United States.

My host in suburban Tlanepantla, a successful businessman, scornfully rocked his modest Ford Galaxie, and said: "More than $6,000—and made in Mexico."

Lost in the winding Satilité streets, I was being guided home by an Auto Mex (Chrysler) assembly worker. "Can you tell me," he asked, "why the car you produce costs half the price of the same car we produce?"

In Atizapan, Father Ernesto joined the little group quietly discussing Mexican economics. "There must be a reason," he said, "why a car made here costs nearly twice as much. Your wages are eight times higher." But the despairing cab driver in Merida only muttered bitterly about his stripped-down Dodge: "I paid $5,500 for this heap and every time I turn the window handle it comes off in my hand."

Explanations are given: "Inevitable but restrictive government quotas," said one auto plant manager. "Lack of capital," added another. "Taxes and a limited market," an established lawyer and former government official asserted with offhand finality.

All true, but only part of the truth. The full story, when pieced together, unfolds the proliferating multi-national tragedy of Latin America. Elements of the narrative are present in all the larger Latin American countries, but nowhere on so comprehensive a scale as in Mexico.

The story can begin there with the Decree on the Auto

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Industry, issued on August 23, 1962, by the government of past President Adolfo Lopez Mateos. It was designed to thrust Mexico into an auto economy, the inevitable dividend from that being an expansive modern industrial plant. That was the theory, based on what had obviously happened in the United States. And the essence of the decree was simplicity itself. It declared that within a very few years 60 per cent of any car must be made in Mexico, this being a first step toward the time when the entire manufacture, fabrication and assembly, would be performed within the country. The stamp, "Made in Mexico," would then have real meaning.

The schedule for gradually increasing Mexican-made parts was set up, and the plan was put in motion. The foreign auto producers had previously done little more than assemble cars in Mexico, and there was conjecture as to opposition. But none was offered; the foreign producers entered into the game with spirit and capital.

The country was soon to have a ring of plants in a vast ellipse around Mexico City. Added to the existing Ford, Chrysler and General Motors assembly plants in the city itself were GM, Chrysler and American Motors plants in Toluca; a Volkswagen plant near Puebla; a Ford plant at Cuautitlan; three Renault (American Diesel or Dina) plants at Sahagun; a Fiat plant near Cuernavaca; a Datsun plant at Morelos, an International Harvester truck plant and a bankrupt Borgward plant, resurrected from Germany, at Monterey. Fifteen gleaming plants spread over vast acres of space: on a map or an industrial plan sheet, this was an imposing complex. It must mean that Mexico was in the auto business, implicitly part of the technological 20th century as it reached toward the 21st.

The event which focused attention on this Latin stride ahead was a meeting at Toluca in January of 1965 between Frederic Donner, then president of General Motors, and Gustavo Diaz Ordaz, President of Mexico, to dedicate the new GM plant. Donner was dutifully prophetic: "The obvious dynamic spirit and energy" of Mexico inspired great confidence that its transformation would "raise the standard of living for the people, giving Mexicans the fullest opportunities in all fields of endeavor."

President Diaz, in his characteristically dour fashion, made an hour's tour of the plant and appeared to agree. The reporter of the Mexico City daily, *Excelsior*, exulted about this "most modern plant producing engines for cars and trucks. . . ." And in a special General Motors supplement of the same paper the summit was reached by a writer who declared that "General Motors has plants in five continents and [this one] in Toluca is the most modern of all." The reporter for *El Universal* was more modest. He called it "a modern plant." And the sober General Motors self-appraisal was that its "Toluca engine plant and foundry [was] among the most modern and best equipped in Mexico. . . ."

As a guest of the management on the previous day I had made a careful tour of the plant. It was worse than archaic. Worse, because it was deliberately archaic, with the obsolescence carefully built in. The plant was beautiful, laid out with great yardage of surplus space for comfortable operation and future expansion. The machinery was new and sparkling. It was also very peculiar—it had been designed and built—*not* to produce.

After I had inspected the plant, I was invited in for a half hour of coffee and discussion with the manager. He had been a GM plant executive in the States. "This is an overwhelmingly beautiful plant," I said. "Any manager back home would give all his eyeteeth to have such fantastic amounts of space. But what I can't understand is the equipment. Overall it would appear to have less than 10 per cent of our productivity potential back home."

We were both auto workers, and on this point there was no way to dissemble. "Well, you see," he said, "there is only so much steel in Mexico. The government has to dole it out in quotas. If we were to use the equipment you have back in the States we would have enough for only one hour's run or so a week."

I was to hear that answer many times. It was always sincerely given; it never rang true. But in itself the explanation did confirm the fact that the new Mexican plants were being deliberately equipped with snail-paced machinery.

A month later I toured what was then the second newest General Motors plant in Latin America, a neat structure in a suburb of Buenos Aires. There I saw some press work. It was on a minor part, what appeared to be a section of the dash panel. (I was never to see major parts like roofs, floor pans, quarter panels, or doors being stamped out in a Latin American plant. Such parts are imported.) The minor part I saw went through a series of presses for the consecutive operations—low draw, trim, pierce, finish. Each press was manually activated. The standard, I was told, was 180 pieces an hour. And I judged that the complete operation required ten men, operators and helpers.

In the United States the same operation is performed by one automated giant press. There is one operator and he activates the press by pushing a button after he has threaded the coil. Then he stands by and watches while the press produces 1,800 finished parts an hour. This therefore makes a man-hour ratio of 100 to 1.

The U.S. press costs considerably more than the total of the Argentinian presses, but the difference could be amortized within not too many months of operation by reducing the 100-to-1 ratio to equality. It would be all coasting from then on. The salient fact is that the presses in Buenos Aires, like the machines in Toluca, were not antiquated, broken-down wrecks. The machinery there was also newly built—not to produce.

A good deal of the equipment in the Latin American plants bore the name of the Foote-Burt Company, a Cleveland-based plant which builds the most sophisticated automated equipment for General Motors, Ford and Chrysler. When I got home, I sought out an employee of that company who went from city to city supervising the installation of newly built machinery, tuning it in, and certifying it ready for production when it was operating at specified levels. I asked about the operating standards of machinery constructed for American engine production. "Our machinery is built so that a motor comes off the line every twenty-five seconds," he told me. That meant 144

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an hour. The maximum potential of the Toluca plant was twelve an hour. The ratio, then, was 12 to 1.

I asked him about the Foote-Burt machinery I had seen in the Latin American plants. "Oh," he answered, "that is our special low-production machinery."

I questioned him closely. "It's all newly designed," he told me, "built to specification from blueprints."

"But why is this low-production machinery built?"

"We don't ask those questions," he laughed; "we are happy enough to have work to do."

Back in Mexico the euphoria was ending; bafflement was setting in. A little more than a year and a half after the high glory of January 1965, the director general of the liberal but nationalistic weekly *Sucesos,* in an article of October 15, 1966, declared that, contrary to what had been expected, and incredibly, the so-called integration of the auto industry had proved "an overwhelmingly heavy burden on the nation." It was "certain that progress . . . [was] simply illusory. . . . Instead of solving problems, they had been aggravated to impossible extremes. . . ."

Sucesos went on to complain that "a car proudly 'Made in Mexico' costs twice as much as the same model in the country of its origin." This resulted in a cost to the nation in 1966 of $180 million. "And what is worse, it will cost more and more" each year. *Sucesos* was right. By the end of the decade the auto industry will have drained Mexico of at least $1 billion (probably more) since that glorious day in January 1965.

But the magazine's editors attributed the critical situation to "anarchy, disorder, the absence of coherence, rational planning and practical objectives. . . ." It would all appear to be the fault of gigantic misorganization. Actually, planning and organization are held very effectively in the capable hands of the world's major auto producers. They can be accused of many things, but not of inability to plan and to produce.

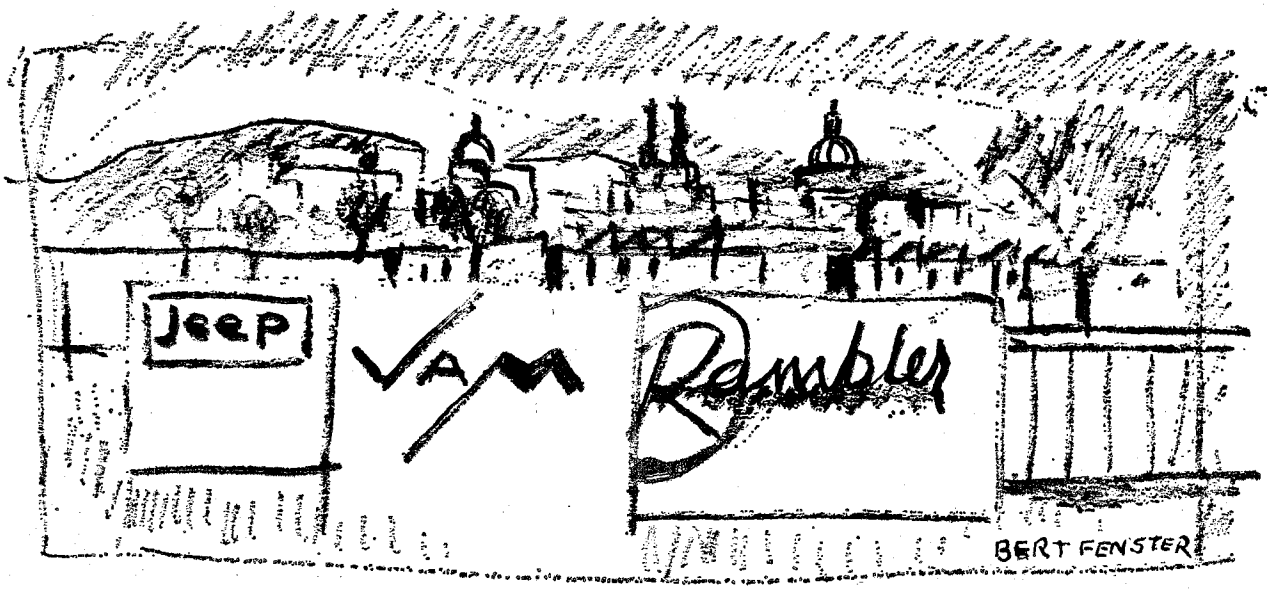
The *Sucesos* article also implied that Mexico had bitten off too much when it attempted to set up an integrated auto industry: apparently it ought to have been satisfied with final assembly, leaving the job of fabrication and construction to the foreign corporations on their home premises. But this would mean an impermissive outflow of capital and would consign Mexico to an eternal status of an undeveloped industrial nation.

Sucesos is not sure of the solution. It calls upon readers who may be expert on the subject to make themselves heard through the pages of the publication. It is obvious that the publication was unaware of the fact that Mexico's auto plants are deliberately equipped with low-production machinery. Nor does this seem known to anyone else with authority, inclination, opportunity or courage to speak out. In recent months I have toured the plants of Ford and Renault in Mexico. Only a small fraction of the cars is produced there, and output is unbelievably below standard levels.

I have been asked: Does the Mexican Government itself permit this situation? It is necessary to understand that neither in Mexico, nor in all Latin America, is there a machine-building plant of even minuscule consequence. And since they lack this capacity, Mexico and the rest of Latin America are completely subservient to the desires and preferences of the industrially advanced nations. Latin America cannot say what kind of equipment shall be installed; it takes what it is given.

The next question is: why on earth would the auto manufacturers want to produce one car when they can produce ten? This appears reasonable at first glance. In fact, the very logic of the question sets up a natural barrier to its ever being asked. The purpose of a modern plant is to produce as efficiently, cheaply and voluminously as possible. A large number of companies operating in the same field, as is the case in Mexico, guarantees the most intense kind of competition; from that it follows that efficiency must be sought and costs reduced. That is axiomatic, and axioms are accepted, never examined.

Another axiom of industrial development says that capital flows to those industries and areas where there is the most fortuitous combination of efficient production and a good market potential. With a total absence of a machine-building industry, a minute production of sheet steel and a severely limited personnel at all levels of training,



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Mexico scarcely qualified as a mecca for production by one of the most highly automated of all industries.

As for a market, Mexico today has a sales potential of about 100,000 cars and trucks a year. This is a ratio of one unit to every 450 people. In the industrialized world the ratio is 25 million units a year for 800 million of population, or about one unit to thirty-two people—an incomparable difference.

Confronted with a bootstrap industrial operation and a fractional sales potential, why did all the major auto producers of the world swoop into Mexico like one joined flock of migrating birds?

A cogent clue can be found in Alfred P. Sloan's revealing memoirs, *My Years With General Motors*. In the chapter headed "The Corporation Overseas" he tells of the high-echelon discussions that took place during the late 1920s, as GM "had to determine whether we wanted to be exporters or overseas producers." From the beginning Sloan headed the group that disdained emphasis on export, claiming instead that real profits were possible only when capital was sent abroad to build new plants. To beat off foreign opposition he declaimed against "economic nationalism abroad" and sponsored a resolution in the corporation's executive committee which recognized "the desirability of employing additional capital for increasing the corporation's profits and developing its business" by considering "favorably [the] . . . principle [of] the employment of capital for manufacturing purposes in overseas manufacturing countries, either in the form of the employment of such capital on its own account or through association with foreign manufacturers." By the mid-thirties GM was launched on its profitable ventures of overseas investment. Today about one-third of its 757,000 employees are in foreign lands and its annual profits of close to $4 billion before taxes are dependent to a large extent on its overseas plants. Moreover, it now has a constant seedbed for the huge stocks of capital it always has available. Latin America is one of those seedbeds and in 1963 Sloan was already hinting broadly that extensive plans had been made for plowing that section of the world.

What GM had learned and accomplished became the road for all major auto producers the world over. General Motors, Ford, Chrysler, Volkswagen, Fiat, Renault, American Motors, Datsun, International and Borgward came to Mexico at about the same time. With the plant acreage they developed, these giants would have to produce more than 1 million units in order to operate both normally and profitably. But the demonstrable market was only a tiny 7 per cent of that. To operate normally therefore became impossible—but to operate profitably is always indispensable.

The companies came because they had money to invest and because none wanted to be frozen out of an enduringly profitable market. But could they set up their automatic plants and produce to capacity for the current microscopic market? That kind of competition would be seen as anarchy in today's industrial world.

Who doubts what happened; what discussions took place? There had to be agreement on quotas; on the rate of production; on the cost of the product. None of these elements, given the unusual circumstances, could be expected to find their appropriate levels through normal processes.

And it must be equally obvious that the world's auto producers are enjoying a profitable market, despite the artificially limited productivity. The outlandish prices provide the beautiful margin of profit. The fact that Mexico and the other Latin American countries must impose a 100 per cent duty on new or used imported cars in order to prevent a disastrous outflow of capital permits General Motors and the rest to command prices almost 100 per cent above home country prices.

"So the big auto companies got together and did a little conniving," some may say. "So what? The net result is that Mexico has the foundation of a major auto industry."

Unfortunately, that's the greatest distortion of all. Some years ago Dr. Otto Feinstein, using the economy of Venezuela as a study base, demonstrated statistically that the growth of the foreign sector of an economy in an underdeveloped country results in an actual decrease in the domestic sector.

If the estimated five-year billion-dollar loss is accepted as the burden placed on the Mexican economy by the auto industry, it must also be accepted, without tracing all the mechanics, that it is the Mexican people who are subsidizing the business. The Pemex oil industry worker who averages $4 a day is subsidizing; the rest of the workers who average considerably less than $2 a day are subsidizing; the farm worker who makes $1 a day is subsidizing; the *campesino* and his family who live in a wretched tiny one-roomlet adobe hut are subsidizing.

Mexican domestic industrial growth is choked off because scarce capital is drained into this foreign sector. In fable the tortoise overtakes the hare; in real life no one ever matches them in a race.

Thus each tortured inch of Latin American industrial advance is actually a giant step backward when measured against the seven-league jumps of the industrialized world. And that is why the Alliance for Progress amounts at best to only a few more schools and a few more apartments—facilities the foreign sector finds useful in the development and maintenance of its essential native personnel.

There is another classical argument: Latin American countries do not have the capital or the know-how to develop a major industry. This falls on its face in view of the capital drain imposed by foreign development; outside capital obviously impedes the development of local industy and capital. In addition, there is actually an awkward example to the contrary: the existing Mexican petroleum industry.

In the mid-thirties President Lazaro Cardenas expropriated the Mexican oil fields from the Americans. Mexico developed that industry despite infinite frustrations, including sufficient financial encroachments by its own concessionaires and native men of business. Today a gallon of Gasolmex, fully equivalent to our regular, costs on the average 30.5c. That is 5c to 6c cheaper than our own average. But gasoline costs more than 60c a gallon in the rest of the oil-rich Latin American countries, where

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it sells under the label of Esso, or Mobiloil, or such.

The Cardenas expropriation proved that it is quite possible for a Latin American country to develop a major industry when left to itself to exploit its own resources. But one indispensable ingredient of an industrial base in the Western Hemisphere below the Rio Grande is a machine-building industry. Whatever else happens, Mexico and Latin America must begin that difficult job. It will serve as their industrial declaration of independence.

Beyond that there must be a disengagement from the self-serving assistance of the major producers: "What ever you are doing to help me—please stop!" What Mexico needs today to develop the auto industry is not ten foreign owners with fifteen or more plants equipped with ludicrously low-paced machinery. It needs a single national plant with the most modern automated equipment. At present wage levels it could then produce a car for $800 or less; mini's for about half the price. That would initiate a mass market, spill over to other industrial development, and open a way to substantial increases in real wages.

If the present auto-producing countries are worried about the competition of cheap labor, an interim tariff would not be that great an evil. If it limited the units of Latin American production to Latin American soil it would do no critical damage to anyone. Furthermore if there is any sincerity to the lofty protestations of the Alliance for Progress, we must unselfishly help in the uphill struggle for bona fide industrialization.

Meanwhile the auto industry in Latin America continues to be a chronic disease, stunting the growth of the body industrial. As proof: at the end of last year Brazil announced the first passenger car to be manufactured by General Motors do Brasil. The car is a four-cylinder compact, 3 inches shorter than the six-cylinder Corvair. The price is a little less than $4,000, almost twice the price of its longer, more powerful U.S. sister Corvair.

The problem gets worse. And the need for solutions more urgent.

THE ORWELL LAW

NEW TAPS ON FREEDOM

SALLY FLY

Miss Fly, writer and publicist, is currently at work on a biography, The Most Dangerous Man, *about the career of her father, James Lawrence Fly, Chairman of the Federal Communications Commission from 1939 through 1944.*

Ever since George Orwell's *1984* men have feared the totalitarian impact of unremitting official invasion of privacy. Now, under Title III of the Omnibus Crime Control and Safe Streets Act of 1968, federal, state and local law-enforcement officers are authorized for the first time in America to eavesdrop for a wide spectrum of suspected crimes. This act opens the gates to police surveillance and has sent legal scholars into a maelstrom of debate.

The implications of Title III are emphasized by the awesome array of sophisticated tools for surveillance. A remote-controlled amplifier and microphone no larger than the period at the end of this sentence can capture a conversation and transmit it by wire for 25 miles. A parabolic mike, without wires or radio transmitter, can catch the conversation of a couple in a canoe in mid-lake and record it on shore. A battery-powered transmitter, running for 100 hours, can be concealed in the heel of a victim's shoe, sending his words a block away. By switching a single wire, an intruder can convert any telephone in the United States into a live microphone, conducting sound even when the phone is in its cradle. Such a microphone catches a whisper within 35 feet of the telephone. English dictionaries do not give the word auditeur, but it is now needed as companion to voyeur. Cameras the size of a cigarette can photograph a room two blocks away by moonlight, but Title III does not touch on visual surveillance; Congress thought the subject too complex. Law lags, but technology races.

Among its positive provisions, Title III bans all wire tapping and eavesdropping by private parties under penalty of $10,000 fine and five years in prison. It prohibits the manufacture, distribution, possession, sale or advertising of intercepting devices in interstate commerce. Before a judge grants an enforcement agency an order to tap or bug he must ascertain the following: Who is the investigating officer; what offense is involved and who is accused of committing or being about to commit it? What facilities are to be intercepted? What type of conversations are being sought? Could alternative measures be used? How long is the interception required? (Congress reveals its own anxiety about Title III in its "afterguards." A judge can demand progress reports. When surveillance is completed, the subject must be notified, unless the judge waives the requirement "on good cause." The judge must retain the tapes for ten years; and must report within thirty days after expiration of an order to the Administrative Office of the United States Courts. Each January, the Attorney General will report to the Administrative Office on results from interceptions; each April, the Administrative Office will forward all reports to Congress. After six years, a commission will report to the President and Congress on the effectiveness of Title III.)

These preceding features are "superb," admits Alan Westin, author of *Privacy and Freedom.* But Westin is vociferous about the negative aspects of Title III, and calls it on the whole a "collapse of reason on the part of Congress . . . a Godawful package."

Part of the package is the range of federal and state crimes for which eavesdropping is permissible. Federal officials are authorized to eavesdrop for such offenses as bribery of public officials, offering kickbacks to influence the operation of employee benefit plans, bankruptcy fraud,

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extortionate credit transactions, and "any offense involving the manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in narcotic drugs, marijuana, or other dangerous drugs."

Authorization for state officers is even broader. In addition to those mentioned are desertion of wife or child, graveyard desecration, endangering the life of a railroad passenger, illicit cohabitation, carrying a concealed weapon, cruelty to animals and gambling.

Another part of Title III, Section 2518, allows "any investigative or law enforcement officer" in emergency cases of "national security" or "organized crime" to eavesdrop for forty-eight hours without a court order. Samuel Dash, director of the Institute of Criminal Law and Procedure at Georgetown University Law Center, contends that this forty-eight-hour license defeats the purpose of requiring court orders. He foresees that a multitude of eavesdroppers will evoke national security and never go near a judge. Title III can also be used by non-law-enforcement agencies, such as Senate or House committees.

Another segment of the Act permits the President, without first seeking a court order, to authorize tapping and bugging in "national security cases . . . or any other clear and present danger to the structure or existence of the Government." This gives the President the sort of Big Brother power Orwell envisioned. A national labor dispute, draft protesters, a civil rights demonstration could readily be branded a "clear and present danger."

Despite the adverse opinion of many legislators, the Omnibus Crime Control and Safe Streets Act of 1968, including Title III, was passed almost unanimously. In the House only seventeen members voted against it, in the Senate only four.

Why did a majority of Congressmen feel so compelled? Politics weighed heavily in their actions. Even the title of the bill was calculated by its sponsors to be politically irresistible, the mood of the country demanding a "crime bill." In an election year the Congressmen feared how their constituents would respond if they voted no.

President Johnson reluctantly signed the bill into law on June 19, 1968. After signing, he expressed his misgivings: "The right to privacy is a valued right. But in a technologically advanced society, it is a vulnerable right. That is why we must strive to protect it all the more against erosion. We need not surrender our privacy to win the war on crime."

Although Nixon's Congressional advisers on crime have urged him to limit the use of electronic surveillance, the new Attorney General, John Mitchell, is using Title III not only in national security cases but against organized crime and other major crimes. Mitchell says the law contains ample safeguards to protect the privacy of individuals. States whose prosecutors are now using listening devices in crime cases are Arizona, Georgia, Maryland, New Jersey and New York.

Title III and electronic surveillance have other strong supporters. Orlando Wilson, former superintendent of police in Chicago, has stated that no substantial inroads can be made against organized crime without the use of electronic surveillance. Dist. Atty. Frank Hogan of New York County contends that "wire tapping and bugging, pursuant to court order, is the most valuable and effective weapon in the arsenal of law enforcement's fight against organized crime."

In opposition to Wilson and Hogan, Joseph Rauh, vice chairman of Americans for Democratic Action, declares: "You can't be a little bit pregnant on wire tapping." According to Rauh: "The restrictions are hogwash. The court order for a tap or bug is meaningless. A judge can't weigh all the evidence. And it will be easy to shop for a sympathetic judge." He noted the ease with which some judges now rubber-stamp conventional search warrants. Rauh predicts an epidemic of electronic surveillance.

Rape, theft, mugging—those crimes of the street about which the public is so much exercised and which moved the Congress to vote for "law and order"—are not affected by Title III. What purse-snatcher or rapist plans his crime on the telephone? As for the use of the telephone by criminal syndicates, Title III merely forces the Cosa Nostra to use other means of communication.

Nevertheless, wire taps and electronic surveillance, rifling the mails, reading private correspondence would all probably help the police secure more convictions. So would judicious use of the thumbscrew and the rack, but the evil in these techniques outweighs their value to law enforcement. The Bill of Rights was not written to make things easier for the police.

What protection does Title III give the private citizen? The "aggrieved person" clause permits an individual to sue, if as a wire-tap victim, he feels that he has been overheard without just cause. But this right applies only to persons who were actually overheard, or one against whom the eavesdrop was directed. The *subject* of a conversation, if a third party, has no relief. For example, Jack and John are suspected of smoking marijuana. Their phones are tapped; their premises bugged. During the surveillance, the police discover independent evidence connecting Bob and Barry with a different crime—planning to steal a car. It develops that neither Jack nor John was smoking pot; Bob and Barry are brought to trial and they cannot sue.

Nor can a person challenge an interception if it is made with the consent of *one* participant in the conversation. Also permissible is surreptitious monitoring by one party to the conversation "not acting under color of law"—a proviso which may cripple, if it does not destroy, the ban on wire tapping by the ordinary citizen. The Association of the Bar of the City of New York finds the participant consent provision "of dubious constitutionality and seriously objectionable." But some lawyers point to situations where such monitoring may legitimately be used. Law-enforcement officers record incriminating statements in their confrontations with a suspect, insuring credibility of evidence later introduced at trial. It may protect the integrity of government officials from attempts by private persons to distort their conversations.

A particularly disturbing provision of Title III is the long surveillance period it authorizes—up to thirty days, renewable indefinitely every thirty days. Conventional searches lasting even a few hours have been condemned in the courts. A law-enforcement officer with a conven-

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tional warrant cannot enter a private home or office and embark on a search lasting several days. Certainly he cannot move into the premises for a month or more. Sen. Philip Hart (D., Mich.) speaks out: "Yet it is precisely such a ransacking, general search that Title III allows. It was not contemplated nor is it permitted by the Constitution."

What is the position of the Supreme Court on eavesdropping? In its most recent decision on eavesdropping, *Alderman* v. *U.S.*, the Court held 5 to 3 on March 10 that the federal government must show an accused man all records of bugs or taps illegally made on his private conversations or conversations on his premises. The accused can declare such records inadmissible evidence at his trial. The government must drop the prosecution completely if it fails to comply with this decision.

Justice Department lawyers were stunned. They unlawfully tap foreign embassies, but don't own up to it. The Court originally made no distinction between defendants overheard in embassy taps, spy cases or criminal cases, but two weeks later it attempted to clarify its decision. The government, said Justice Potter Stewart, will not necessarily be required to disclose to the accused logs of "foreign intelligence" surveillance when the cases come to trial. Only if the trial judges secretly determine that this sort of surveillance violates the Fourth Amendment will the logs be disclosed. The Court's decision, it declared, applies to eavesdropping done "illegally," before Congress authorized eavesdropping in Title III.

In 1967 the Supreme Court ruled on two other eavesdropping cases: *Berger* v. *New York* and *Katz* v. *U.S.* These decisions may cast doubt on the constitutionality of Title III. In *Berger* v. *New York*, the highest tribunal by a 6-to-3 vote freed Ralph Berger, a public relations consultant to the Playboy Club in New York City who had been convicted of conspiracy to bribe the chairman of the New York State Liquor Authority. Evidence had been obtained under a New York statute which permitted law-enforcement surveillance for two months. The Court held this statute unconstitutional because its language was too broad, and it trespassed into a constitutionally protected area. The Court specifically ruled that the two-month period was a violation of the Fourth and Fourteenth Amendments, and stressed above all that any period of electronic surveillance must be brief. The Justices said such long-lasting surveillance is equivalent to a series of intrusions, searches and seizures, pursuant to a single showing of probable cause.

In *Katz*, six months later, the Court reversed a conviction based on evidence procured from a bug placed by FBI agents on two public telephones which the defendant habitually used to transmit betting information. The *Katz* decision was a major victory for privacy. The Supreme Court at last overruled *Olmstead* v. *U.S.*, a bootleg case, which in 1928 held that police wire tapping, since it did not physically penetrate one's premises, was not one of the unreasonable searches and seizures forbidden by the Fourth Amendment. In that 1928 ruling, Justices Holmes and Brandeis spoke eloquently for the minority opinion. Said Brandeis: "It is also immaterial that the intrusion was in aid of law enforcement. Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent."

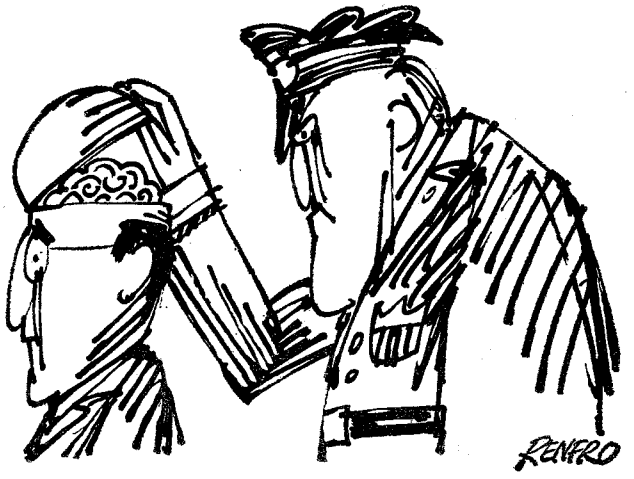
Katz involved that rare situation where electronic eavesdropping could be limited to hour, locale, a specific person and specific conversations. FBI agents activated the bug only when Katz entered the booth, captured only Katz's end of the conversation and turned it off when Katz left. The Court stressed that no conversations of innocent persons were overheard.

Had the interception been conducted pursuant to court order, it would have been sustained. Nothing in *Katz*, however, supports the sweeping provisions of Title III. It does not imply approval of a thirty-day bug or tap on home or office. *Katz* and *Berger* stipulate that a warrant for electronic surveillance must *particularly* describe the conversations to be overheard.

Before Title III was passed the Justice Department had been tapping wires for almost thirty years. Private detectives and police also snooped—unprosecuted. Wire tapping was rampant, even though it was prohibited by Section 605 of the Federal Communications Act: "no person . . . shall intercept . . . and divulge . . . the contents . . . of a communication to any person." Wire-tap victims were lovers and diplomats, criminals and key executives.

Congress tried many times to frame a responsible wire-tap statute out of the chaotic muddle, but they did not legislate until Title III was incorporated in the Omnibus Crime Control and Safe Streets Act of 1968. While lenient on gun control in Title IV, Congress gave Title III excessive clout. Title III may violate not only the Fourth Amendment's edict against unreasonable searches and seizures and the Fourteenth Amendment's due process clause but also the First Amendment's guarantee of free speech. Without privacy of communication, people are reluctant to exercise their rights of speech, press and worship. The right against self-incrimination, proclaimed by the Fifth Amendment, is also jeopardized by Title III.

To work for repeal of Title III would be a quixotic gesture, Alan Westin maintains. His remedy is to amend. Many disagree. Defenders of the Bill of Rights believe no amendments would suffice. To wait for Supreme Court action is hazardous and would take several years. Congress, they believe, should repeal Title III.



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BOOKS & THE ARTS

A Poem by Kenneth Burke

EYE-CROSSING—FROM BROOKLYN TO MANHATTAN

For Marianne Moore

I

Scheming to pick my way past Charybdylla
(or do I mean Scyllybdis?)
caught in the midst of being nearly over,
not "midway on the roadway of our life,"
a septuagenarian valetudinarian
thrown into an airy osprey-eyrie
with a view most spacious
(and every bit of it our country's primal gateway even),
although, dear friends, I'd love to see you later,
after the whole thing's done,
comparing notes, us comically telling one another
just what we knew or thought we knew
that others of us didn't,
all told what fools we were, every last one of us—
I'd love the thought, a humane after-life,
more fun than a bbl. of monkeys,
but what with being sick of wooing Slumber,
I'll settle gladly for Oblivion.

II

Weep, Hypochondriasis (hell, I mean smile):
The bell rang, I laid my text aside,
The day begins in earnest, they have brought the mail.
And now to age and ailments add
a thirteen-page single-spaced typed missile-missive,
to start the New Year right.
On the first of two-faced January,
". . . the injuries you inflict upon me . . . persecution . . .
such legal felonies . . . unremitting efforts . . . malice, raids,
slander, conspiracy . . . your spitefulness . . ."
—just when I talked of getting through the narrows,
now I'm not so sure.
Smile, Hypochondriasis, (hell, I mean wanly weep).

III

So let's begin again:
Crossing by eye from Brooklyn to Manhattan
(Walt's was a ferry-crossing,
Hart's by bridge)—
to those historic primi donni,
now add me, and call me what you will.
From Brooklyn, now deserted
by both Marianne Moore and the Dodgers—
an eye-crossing
with me knocked cross-eyed or cockeyed
by a saddening vexing letter
from a dear friend gone sour.
I think of a Pandora's box uncorked
while I was trying to untie
Laocoön's hydra-headed Gordian knot,
entangled in a maze of Daedalus,
plus modern traffic jam cum blackout.
Let's begin again.

IV

The architectural piles, erections, impositions,
monsters of high-powered real estate promotion—
from a room high on Brooklyn Heights
the gaze is across and UP, to those things' peaks,
their arrogance!
When measured by this scale of views from Brooklyn
they are as though deserted.

And the boats worrying the harbor
they too are visibly deserted
smoothly and silent
moving in disparate directions
each as but yielding to a trend that bears it
like sticks without volition
carried on a congeries
of crossing currents.

and void of human habitation,
the cars on Madhatter's Eastern drive-away
formless as stars
speeding slowly
close by the feet of the godam mystic giants—
a restlessness unending, back and forth
(glimpses of a drive, or drivenness,
from somewhere underneath the roots of reason)

me looking West, towards Manhattan, Newark, West
Eye-crossing I have seen the sunrise
gleaming in the splotch and splatter
of Western windows facing East.

V

East? West?
Between USSR and USA,
their Béhemoth and our Behémoth,
a dialogue of sorts?
Two damned ungainly beasts,
threats to the entire human race's race
but for their measured dread of each the other.
How give or get an honest answer?

Forgive me for this boustrophédon mood
going from left to right, then right to left,
pulling the plow thus back and forth alternately
a digging of furrows not in a field to plant,
but on my own disgruntled dumb-ox forehead.

My Gawd! Begin again!

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VI

Turn back. Now just on this side:
By keeping your wits about you,
you can avoid the voidings,
the dog-signs scattered on the streets and sidewalks
(you meet them face to faeces)
and everywhere the signs of people
(you meet them face to face)

The Waltman, with time and tide before him,
he saw things face to face, he said so

then there came a big blow
the pavements got scoured drastically
—exalted, I howled back
into the teeth of the biting wind
me in Klondike zeal
inhaling powdered dog-dung
(here's a new perversion)
now but an essence on the fitful gale

Still turning back.
Surmarket—mock-heroic confrontation at—
(An Interlude)

VII

CONFRONTATION AT BOHACKS

(an interlude)

Near closing time, we're zeroing in.
Ignatius Panallergicus (that's me)
his cart but moderately filled
(less than five dollars buys the lot)
he picks the likeliest queue and goes line up
then waits, while for one shopper far ahead
the lady at the counter tick-ticks off and tallies
items enough to gorge a regiment.

Then, lo! a possibility not yet disclosed sets in.
While Panallergicus stands waiting
next into line a further cart wheels up,
whereat Ignatius Panallergicus (myself, unknowingly
the very soul of Troublous Helpfulness) suggests:
"It seems to me, my friend, you come out best
on that line rather than on one of these."
And so (let's call him "Primus")
Primus shifts.

Development atop development:
Up comes another, obviously "Secundus,"
to take his stand behind Ignatius, sunk in thought.
No sooner had Secundus joined the line
than he addressed Ignatius Panallerge approximately thus:
"Good neighbor, of this temporary junction,
pray, guard my rights in this arrangement
while I race off to get one further item,"
then promptly left, and so things stood.

But no. Precisely now in mankind's pilgrimage
who suddenly decides to change his mind
but Primus who, abandoning his other post,
returns to enroll himself again in line behind Ignatius.

Since, to that end, he acts to shove aside
Secundus' cart and cargo, Crisis looms.

Uneasy, Panallergicus explains:
"A certain . . . I am sorry . . . but you see . . .
I was entrusted . . . towards the preservation of . . ."
but no need protest further—
for here is Secundus back,
and wrathful of his rights
as ever epic hero of an epoch-making war.

Both aging champions fall into a flurry
of fishwife fury, even to such emphatical extent
that each begins to jettison the other's cargo.
While the contestants rage, pale Panallerge
grins helplessly at others looking on.
But Primus spots him in this very act and shouts
for all to hear, "It's all *his* fault . . . *he* was the one . . .
he brought this all about . . ."
and Panallergicus now saw himself
as others see him, with a traitor's wiles.

I spare the rest. (There was much more to come)
How An Authority came swinging in,
twisted Secundus' arm behind his back
and rushed him bumbling from the store.
How further consequences flowed in turn,
I leave all that unsaid.

And always now, when edging towards the counter,
his cargo in his cart,
our Ignatz Panallerge Bruxisticus
(gnashing his costly, poorly fitting dentures)
feels all about his head
a glowering anti-glowing counter-halo . . .

Is that a millstone hung about his neck?
No, it is but the pressing-down
of sixty plus eleven annual milestones.

(It was before the damning letter came.
Had those good burghers also known of that!)

VIII

But no! Turn back from turning back. Begin again:
Of a late fall evening
I walked on the Esplanade
looking across at the blaze of Walt's Madhatter
and north to Hart's graceful bridge, all lighted
in a cold, fitful gale I walked
on the Esplanade in Brooklyn now deserted
by both Marianne and the Dodgers.
Things seemed spooky—
eight or ten lone wandering shapes,
and all as afraid of me as I of them?
We kept a wholesome distance from one another.
Had you shrieked for help in that bluster
who'd have heard you?

Me and my alky in that cold fitful bluster
on the Esplanade that night
above the tiers of the mumbling unseen traffic

It was scary
it was ecstacatic

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IX

Some decades earlier, before my Pap
fell on evil days (we then were perched
atop the Palisades and looking down
upon the traffic-heavings of the Hudson)

I still remember Gramma (there from Pittsburgh for a spell)
watching the tiny tugs tug monsters.
Out of her inborn sweetness and memories
of striving, putting all that together,
"Those poor little tugs!" she'd say.
God only knows what all
she might be being sorry for.

And now repeatedly we watch the tugs, "poor little tugs,"
and hear them—
their signals back and forth as though complaining.
The two tugs help each other, tugging, pushing
(against the current into place)
a sluggish ship to be aligned along a dock,
a bungling, bumbling, bulging, over-laden freighter.

Their task completed,
the two tugs toot good-bye,
go tripping on their way,
leaning as lightly forward
as with a hiker
suddenly divested
of his knapsack.
"Good-bye," rejoicingly, "good-bye"—
whereat I wonder:

Might there also be a viable albeit risky way
to toot
"If you should drive up and ask me,
I think you damn near botched that job"?
"I think you stink."
What might comprise the total range and nature
of tugboat-tooting nomenclature?

X

Profusion of confusion. What of a tunnel-crossing?
What if by mail, phone, telegraph, or aircraft,
or for that matter, hearse?

You're in a subway car, tired, hanging from a hook,
and you would get relief?
Here's all I have to offer:
Sing out our national anthem, loud and clear,
and when in deference to the tune
the seated passengers arise,
you quickly slip into whatever seat
seems safest. (I figured out this scheme,
but never tried it.)

Problems pile up, like the buildings.
Even as I write, the highest to the left
soars higher day by day.
Now but the skeleton of itself
(these things begin as people end!)
all night its network of naked bulbs keeps flickering
towards us here in Brooklyn . . .
then dying into dawn . . .
or are our . . . are our what?

XI

As with an aging literary man who, knowing
that words see but within
yet finding himself impelled to build a poem
that takes for generating core a startling View,
a novel visual Spaciousness

(he asks himself: "Those who have not witnessed it,
how tell them?—and *why* tell those who have?
Can you do more than say 'remember' "?)

and as he learns the ceaseless march of one-time modulatings
unique to this, out of eternity,
this one-time combination
of primal nature (Earth's) and urban, technic second nature,
there gleaming, towering, spreading out and up
there by the many-colored, changing-colored water

(why all that burning, all throughout the night?
some say because
the cleaning women leave the lights lit.
But no—it's the computers
all night long now
they go on getting fed.)

as such a man may ask himself and try,

as such a one, knowing that words see but inside,
noting repeated through the day or night
the flash of ambulance or parked patrol car,
wondering, "Is it a ticket this time, or a wreck?"
or maybe setting up conditions there
that helicopters land with greater safety,

so puzzling I, eye-crossing . . .
and find myself repeating (and hear the words
of a now dead once Olympian leper),
"Intelligence is an accident,
Genius is a catastrophe."

A jumble of towering tombstones
hollowed, not hallowed,
and in the night incandescent
striving ever to outstretch one another
like the stalks of weeds dried brittle in the fall.

Or is it a mighty pack of mausoleums?
Or powerhouses of decay and death—
towards the poisoning of our soil, our streams, the air,
roots of unhappy wars abroad,
miraculous medicine, amassing beyond imagination
the means of pestilence,
madly wasteful journeys to the moon
(why go at all,
except to show you can get back?)

I recalled the wanly wingéd words of a now dead gracious
leper.

(My own words tangle like our entangled ways,
of hoping to stave off destruction
by piling up magic mountains of destructiveness.)

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XII

Do I foresee the day
Calling his counsellors and medicos,
do I foresee a day, when Unus Plurium
World Ruler Absolute, and yet the august hulk
is wearing out—do I foresee such time?

Calling his counsellors and medicos together,
"That lad who won the race so valiantly,"
he tells them, and His Word is Law,
"I'd like that bright lad's kidneys—
and either honor him by changing his with mine
or find some others for him, as opportunity offers."

No sooner said than done.
Thus once again The State is rescued—
and Unus over all, drags on till next time.

Do I foresee that day, while gazing across, as though that realm were alien
Forfend forfending of my prayer
that if and when and as such things should be
those (from here) silent monsters (over there)
will have by then gone crumbled into rubble,
and nothing all abroad
but ancient Egypt's pyramidal piles of empire-building hierarchal stylized dung remains.

Oh, I have haggled nearly sixty years
in all the seventies I've moved along.
My country, as my aimless ending nears,
oh, dear my country, may I be proved wrong!

XIII

"Eye-crossing," I had said? The harbor space so sets it up.
In Walt's ferry-crossing, besides the jumble of things seen
(they leave him "disintegrated")
even the sheer *words* "see," "sight," "look," and "watch" add up
to 33, the number of a major mythic cross-ifying.

In the last section of the Waltman's testimony
there is but "gaze," and through a "necessary film" yet . . .
"Gaze" as though *glazed*? It's not unlikely.
"Suspend," he says, "here and everywhere, eternal float of solution."
And the talk is of "Appearances" that "envelop the soul."

Between this culminating ritual translation
and the sheer recordings of the senses
there had been intermediate thoughts
of "looking" forward to later generations "looking" back.
Walt the visionary, prophetically seeing crowds of cronies
crossing and recrossing
on the ferry that itself no longer crosses.

Six is the problematic section.
There he takes it easy, cataloguing all his vices
as though basking on a comfortable beach.
Here his tricks of ideal democratic promiscuity
include his tricks of ideal man-love.
In section six he does a sliding, it makes him feel good
Blandly blind to the promotion racket stirring already all about him,
he "bathed in the waters" without reference to their imminent defiling
(Now even a single one
of the many monsters since accumulated
could contaminate the stream for miles.)

He sang as though it were all his—
a continent to give away for kicks.
And such criss-crossing made him feel pretty godam good.

Flow on, filthy river,
ebbing with flood-tide and with ebb-tide flooding.
Stand up, you feelingless Erections,
Fly on, O Flight, be it to fly or flee.

Thrive, cancerous cities.
Load the once lovely streams with the clogged filter of your filth.
"Expand,"
even to the moon and beyond yet.
"There is perfection in you" in the sense
that even empire-plunder can't corrupt entirely.

XIV

And what of Hart's crossing by the bridge?

"Inviolate curve," he says. Who brought that up?
The tribute gets its maturing in the penultimate stanza,
"Under thy shadow by the piers I waited."
Hart too was looking.

But things have moved on since the days of Walt,
and Hart is tunnel-conscious.
And fittingly the subway stop at Wall Street,
first station on the other side,
gets named in the middle quatrain of the "Proem"
(Wall as fate-laden as Jericho, or now as mad Madison
of magic Madhatter Island.) Ah! I ache!
Hart lets you take your pick:
"Prayer of pariah and the lover's cry."

(If crossing now on Brooklyn Bridge by car,
be sure your tires are sound—
for if one blows you must keep right on riding
on the rim. That's how it sets up now
with what Hart calls a "curveship"
lent as a "myth to God."
I speak in the light of subsequent developments.)

Elsewhere, "The last bear, shot drinking in the Dakotas,"
Hart's thoughts having gone beneath the river by tunnel, and
"from tunnel into field," whereat "iron strides the dew."
Hart saw the glory, turning to decay,
albeit euphemized in terms of "time's rendings."
And by his rules, sliding from Hudson to the Mississippi,
he could end on a tongued meeting of river there and gulf,
a "Passion" with "hosannas silently below."

All told, though Walt was promissory,
Hart was nostalgic, Hart was future-loving only insofar
as driven by his need to hunt (to hunt the hart)
And as for me, an apprehensive whosis,

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(cf. Bruxistes Panallerge, *Tractatus de Strabismo*)
I'm still talking of a crossing on a river,
when three men have jumped over the moon,
a project we are told computer-wise
involving the social labor of 300,000 specialists
and 20,000 businesses.
Such are the signs one necessarily sees,
gleaming across the water,
the lights cutting clean
all through the crisp winter night.

"O! Ego, the pity of it, Ego!"
"Malice, slander, conspiracy," the letter had said;
"your spitefulness . . ."

XV

Crossing?
Just as the roads get jammed that lead
each week-day morning from Long Island to Manhattan,
so the roads get jammed that lead that evening
from Manhattan to Long Island.
And many's the driver that crosses cursing.

Meanwhile, lo! the Vista-viewing from our windows at burning nightfall:
To the left, the scattered lights on the water,
hazing into the shore in Jersey, on the horizon.
To the right, the cardboard stage-set of the blazing buildings.
Which is to say:

To the left,
me looking West as though looking Up,
it is with the lights in the harbor
as with stars in the sky,
just lights, pure of human filth—
or is it?

To the right,
the towerings of Lower Manhattan
a-blaze at our windows

as though the town were a catastrophe

as doubtless it is . . .

Consciousness Confrontation

STYLES OF RADICAL WILL. *By Susan Sontag. Farrar, Straus & Giroux. 274 pp. $5.95.*

ROBERT SKLAR
Mr. Sklar is the author of F. Scott Fitzgerald: The Last Laocoön *(Oxford). He teaches at the University of Michigan.*

Styles of Radical Will is the most personal of Susan Sontag's books. She writes directly about herself only in the long final essay, "Trip to Hanoi," which has already been published separately as a book. But the candid self-questioning created by her encounter with North Vietnam reverberates back across the earlier essays in her book, uniting them upon the common theme of consciousness—Western consciousness, and her own. Miss Sontag emerges from *Styles of Radical Will* not as the polemicist of her previous essays and fiction but as an open and vulnerable intellect, a consciousness in process of transformation.

The "radical will" of Miss Sontag's title refers to the various modes of confronting consciousness, of altering consciousness, of throwing it over. The order of Miss Sontag's essays may indicate a shift in her thinking from an aesthetic mode of radical will to a political mode, from a will aiming to destroy contemporary consciousness—to escape from consciousness itself—to a will seeking new forms of political and social consciousness, "a more generous, more humane way of being with each other." Not that Miss Sontag appears to be abandoning aesthetics; more likely her transformation of consciousness may produce a new aesthetic viewpoint, as yet unformed, incorporating political and social dimensions.

The aesthetic essays of *Styles of Radical Will* grow directly out of Miss Sontag's concerns in her previous collection, *Against Interpretation*. There she was more dogmatic, more prophetic, more, as the title suggests, on the attack. Here she is at pains to describe the radical aesthetic configuration which previously, under the name "new sensibility," had been little more than a slogan. In particular her first essay, "The Aesthetics of Silence," is a brilliant and important account of the Western tradition of artistic revolt against language, against thinking, against consciousness.

Few critics are as capable as Miss Sontag in uniting disparate art forms, in making aesthetic criticism a form of philosophical inquiry. But for her broad theoretical background Miss Sontag appears to depend, at least in part, on Norman O. Brown's radical psychoanalytic critique of consciousness, a critique for which the author's criticism provides a deeper and more profound foundation from the arts. For Brown, the very nature of modern Western consciousness, with its divided self and its Faustian longing for immortality, is rooted in repression and neurosis. And for Brown, as for Freud, the artist acts as the revolutionary spokesman for the id against the ego, the subverter of civilization in the name of the pleasure principle.

But Brown's reliance on art is essentially ambiguous. If art is created to undo repressions, what happens to art when the goal of a nonrepressive society is reached? This is an unanswered question to which Miss Sontag's extension of Brown's radical critique of consciousness addresses itself. Art itself, suggests Miss Sontag, will be done, overthrown. Art, particularly the language arts, are themselves caught in the trap of consciousness. When consciousness as we know it is destroyed, art as we know it will also come to an end—art as expression or representation, art as truth and beauty. The "minimal art" of our own time, in painting, sculpture, the new novel, already aims, in this sense, at the abolition of art.

This form of prophecy and critical insight, this mode of radical will, can be extremely clarifying and stimulating for the willing reader. But politics is an unwelcome intrusion upon it. A radical critique of consciousness, so it is said, is itself a radical political ideology. Do not speak therefore of war protests, black demands, student rebellion; how can one talk of changing the political system when human consciousness is the fundamental issue? When consciousness is altered, politics will necessarily be different—or irrelevant.

A radical impatience of this sort with politics lies, I think, behind Miss Sontag's "What's Happening in America (1966)," her answers to a *Partisan Review* questionnaire in that year. Other factors as well, the wording of the ques-

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tions, a sense of her audience or of her fellow contributors, may have persuaded Miss Sontag to reply in a style of disgust, gross judgments and willed ignorance, a style unlike any she has adopted in writing about the arts. It is possible that Miss Sontag included "What's Happening in America (1966)" to indicate how thoroughly her trip to Hanoi transformed her view of politics, and of America.

What most affected the author about the North Vietnamese was the nature of their consciousness. They conformed to neither pole of her previous thinking, not to the ego-bound, guilt-ridden Western consciousness which she abhorred, nor to the "Dionysian" consciousness, the nonrepressed consciousness projected by Norman O. Brown and the aesthetics to which Miss Sontag adhered. Instead, the North Vietnamese possessed a consciousness free of the neurotic elements of Western consciousness, full of joy and hope, yet morally chaste and politically organized. Though obviously Vietnamese consciousness could not be emulated in the West, it opened up for Miss Sontag the possibility of other forms of social consciousness than any she had experienced or postulated, of new modes, in a Western context, of radical will.

Miss Sontag was also astonished, chagrined, and ultimately moved, by the depth of admiration and respect felt by the North Vietnamese for their enemy, the United States. In the 20th century it has not been fashionable for radical American intellectuals to feel emotional identification with their country; Miss Sontag's "What's Happening in America (1966)" is almost a caricature of the elitist, Europeanized mentality of many in her class. But the North Vietnamese vision of the possibilities of America, their taking for granted love of country as a revolutionary motive, forced Miss Sontag to accept the fact of possibility, and the need for love of country, too. "Probably no serious radical movement," she writes, "has any future in America unless it can revalidate the tarnished idea of patriotism. One of my thoughts in the closing days of my stay in North Vietnam was that I would like to try."

In the midst of her transformation—wherever it may lead her—Miss Sontag has come somewhat to resemble one of the artists she most admires, the French film maker Jean-Luc Godard, about whom she has written an exceptionally good essay in this book. Godard's best films are models both of Miss Sontag's aesthetics and of her politics, and there is no disjunction between them. Godard is as preoccupied as Miss Sontag with the divided self, with the dilemmas of Western consciousness. But he has never been waylaid by the promise of an escape from consciousness. Miss Sontag seems now allied with him as never before in

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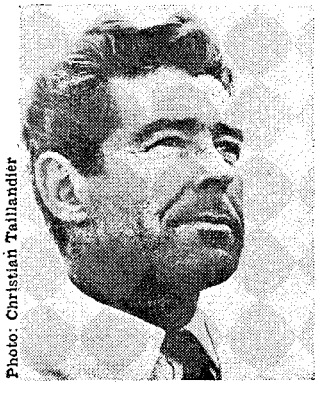
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the search for a new mode of social and political consciousness in the West. "There are words I do not know," Godard's Natasha says at the end of his film *Alphaville*. Miss Sontag is one with Natasha, as are we all.

Earth Music

THE LONG-LEGGED HOUSE. *By Wendell Berry. Harcourt, Brace & World. 213 pp. $5.95.*

JOSEPHINE W. JOHNSON

Miss Johnson's first novel, Now in November, *was written in 1934 and awarded a Pulitzer Prize. Her most recent work is* The Inland Island *(Simon & Schuster). Portions of Wendell Berry's book, reviewed below, have appeared in* The Nation.

This book is broad and leisurely and important. Something like the river itself on which Wendell Berry lives. It is full of wide and flowing thoughts and one thing leads to another in the manner that nature intended—or used to. The language ranges from the grave and beautiful to the sharp and specific, depending on the need to express the vast variety of subjects he presents.

He writes of the land: "One early morning last spring, I came and found the woods floor strewn with bluebells. In the cool sunlight and the lacy shadows of the spring woods the blueness of the flowers, their elegant shape, their delicate fresh scent kept me standing and looking. I found a rich delight in them . . . that I will never forget. . . ." And of the nature consumers, the boatmen who camped and strewed the rocks with plastic, paper, trash and bottles—"having spent the night there, these men doubtlessly did not recognize it on their way back." Wherever man's caravan has rested there is the place befouled. And Berry points out the profound paradox, that the boatmen destroy what they supposedly want to keep; as do the campers, the hunters, the vacationers, the weekend motorists.

In a fine essay, "The Loss of the Future," Berry looks behind the familiar words, "morality," "practicality," and redefines them in their true meaning. He looks to a saner future, a more ideal community, which would include thought for the unborn. A community which "would be aware . . . that the living cannot think or speak or act without changing the lives of those who live after them. . . . Man is not merely in the world. He is, he must realize and learn to say or be doomed, *part* of it. The earth he is made of, he bears in trust."

As a teacher himself he has some interesting and iconoclastic things to say about education. His statements should be read in their whole context, not extracted, for Wendell Berry builds his thoughts and ideas slowly and carefully as he built the long-legged house by the river, carpentering it, windowing it, and living in it. And it is the living of his days, in this house, the days along this river, that give the reader an extraordinarily real feeling of being there, sharing the silence, seeing the teal and the wood ducks, the waxwings and the wild grapes.

When the day comes when courses in life and sanity are taught in all our schools, Wendell Berry's book, *The Long-Legged House*, should be the chosen text. It stands as the record of a thoughtful man, a man with far more vision than most. Moreover it is vision carried into specific action. Berry writes of the problems of today. He does not shirk them. His account of the strip mining in Kentucky, "The Landscaping of Hell," is clear, documented, a model of indictment. There is no vagueness here, no sentimental crying out about possible future disaster, but a man recording the exact dimensions of legal anarchy, and what it has brought to pass.

His statement against the war in Vietnam might well be read in every public place in the land, and studied in schools instead of *The Man without a Country*. In fact much of Berry's book is written in the desire that a country worth living in may be saved from those who are destroying it physically and morally while they sentimentalize over it with patriotic words.

For Berry himself attended a military school whose highest aim he says was "to produce a perfectly obedient, militaristic, puritanical moron who could play football." He survived because he knew of dignity of another kind, and knew that "standing in lines under the command of other men is the least becoming thing men do. Though I stood in line many times each day, my privilege was that my mind was *not* in line. It didn't have to be. It had better places to go." He had the memory of his days at his camp by the river where he was a free man, and life had seemed to come naturally and right. He had the memory of a few good men, good days and good places. The good books came later.

The heart of *The Long-Legged House* lies in the chapter on citizenship and conscience, in which Berry presents his thoughts on some ways that a sizable number of people might influence the life of the country and the world. His discussion of subsistence agriculture and the preservation of life—human life—on the land, is practical and long sighted, and he is aware of all the arguments that

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instantly arise. It is worth reading, every word of it.

> . . . And so, difficult and troubling as the times are, I must not neglect to say that even now I experience hours when I am deeply happy and content, and hours when I feel the possibility of greater happiness and contentment than I have yet known. These times come to me when I am in the woods, or at work on my little farm. They come bearing the knowledge that the events of man are not the great events; that the rising of the sun and the falling of the rain are more stupendous than all the works of the scientists and prophets; that man is more blessed and graced by his days than he can ever hope to know; that the wild flowers silently bloom in the woods, exquisitely shaped and scented and colored, whether any man sees and praises them or not. A music attends the things of the earth. To sense that music is to be near the possibility of health and joy.

Book Marks

SARA BLACKBURN

GOING PLACES. *By Leonard Michaels. Farrar, Straus & Giroux. 192 pp. $4.95.*

The compressed violence which characterizes all of the stories in this collection gives them a choked, unpleasant quality which is more anxious than it is illuminating. While they succeed in using a teeth-gnashing humor to expose the accepted brutalities of contemporary urban life, they stop there. This is Mr. Michaels' first book, and it has been widely praised. His publishers compare him to Isaac Babel, but Babel's compressed tales of human misery are written with an immense compassion that balances his wit. Though Michaels has an admirable wit, with the exception of the title story he doesn't sympathize with any of his characters enough to make us want to suffer along with them.

THE GIRL IN MELANIE KLEIN. *By Ronald Harwood. Holt, Rinehart & Winston. 182 pp. $4.95.*

Three lovable schizophrenics, long contented in their respective worlds and with their pleasant lives at a suburban London asylum, are threatened with getting well when a new psychiatrist and a new patient invade their enclave. Mr. Harwood writes wisely and entertainingly, but his romplike inquiry into who is sick, who is well, and who is happy fizzles toward the end, when the new patient's tale of

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why she was committed doesn't accomplish the delicate task he means it to. It's too bad, because this is an otherwise funny and charming novel: quite a feat, given its tricky subject.

TWO, THREE, MANY MORE. *By Nicholas von Hoffman. Quadrangle Books. 251 pp. $5.95.*

It's a great tribute to Mr. von Hoffman's skill that his heavily documented novel about revolution at a Columbia-like university is as absorbing and as disturbing as it is. He has spent a lot of time on the scene, and most of his administrators, faculty members and student radicals seem very real; he has succeeded in making their respective positions highly "reasonable," according to where one's sympathies lie. In a climax full of disaster, his thesis seems to be that all are tragically misled: the administrators because they are too smug and too hopelessly removed from reality; the well-meaning faculty because they wait too long to decide where their interests lie, and the radicals because they make literally fatal misjudgments about their allies. The gaps explored are more generational than they are political but, for the record, the most fully rounded character in the novel is a likable faculty member, who survives the disaster to describe it later for the "Verbal History Project." It's difficult to reconcile the author's obvious sympathies for the radicals with what seems to be the moral of his book: cool it, everyone.

PROFESSOR WILMESS MUST DIE. *By Paul Rader. The Dial Press. 218 pp. $4.95.*

Mr. Rader is a university administrator, and his novel about student revolution is satirical. The students are as boobish and obnoxious as the absurd administrators and, again, a nice, well-meaning faculty member who tries to "help" the radicals finally suffers horrible consequences. Some of the author's administrators are rather delightful grotesques, but his students are just silly; they bear so little resemblance to their actual counterparts that it's difficult to believe he is very familiar with them. Mr. Rader seems to confuse radical politics with promiscuous sex, and the novel's effect is a general tsk-tsk at both, thus making what might have been a very witty book into a prissy one.

NATIONAL ANTHEM. *By Richard Kluger. Harper & Row. 334 pp. $6.95.*

The other yield for satirical novels these days is the business executive. These usually come complete with a formula ending in which the hero, purged, goes back to his old life. Mr. Kluger's is in this genre, and his witty businessman has some successful forays into armed robbery and almost-sex before he decides that his nice wife and regular job will be a relief after all the excitement. There are a lot of funny scenes here, and a more interesting than usual array of the regulation nymphomaniacs, gangsters and assorted urban weirdies who populate these tales. Mr. Kluger is a good writer, and it's sad to see him use his real comic talent within this irrelevant framework.

THEATRE

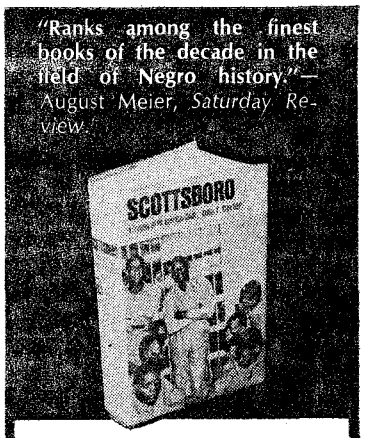
HAROLD CLURMAN

Tennessee Williams' *In the Bar of a Tokyo Hotel* (Eastside Playhouse) is a portrait of an artist at the nadir of his career. He has taken to drink to the point of no return. This is only a symptom. He imagines that he is in the process of discovering a new vision; the agony of uncertainty about this inspires in him unspeakable torment approximating insanity.

In the turmoil of his nightmare exaltation he experiences the dread sensation of becoming identical with his work. The mess of pigment he applies to his canvases appears to blind him with some unknown but immensely forceful ingredient of light. This, he fancies, may be the prelude to the total disintegration of his talent; or it may possibly mark the threshold of a never before attained profundity of insight. The double awareness is killing him.

Added to this laceration is his dependence on a bitchy wife. She has lost all feeling for him, and become a nymphomaniac who makes shameless passes at all available men, one of whom, the barman at a Japanese hotel, scornfully rejects her. To be free of her husband, she proposes to commit him to an "institution." Implied too is the idea that she is not merely a heartless woman but, symbolically, part of him, the consuming demon within his own nature.

At the end of the play, when the artist dies, his wife, bereft of all attachments and direction, divests herself of the jewelry which represents the acquisitions bestowed upon her by his former success. Only a homosexual art dealer who has sponsored the artist's work grieves for him. He agrees that his protégé's final paintings ought not to be publicly shown, yet suggests that an artist's passage to a new phase will frequently prove chaotic and undecipherable. He has no intention of exhibiting



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such paintings, but acknowledges the possibility that a minor gallery (I almost said "Off-Broadway") might hazard doing so.

I have gone into this detail so that the reader may decide whether or not the factual material of the play is sufficiently interesting or significant to warrant his seeing it. For it is possible that without previous knowledge of its author's "history," *In the Bar of a Tokyo Hotel* may seem little better than a confusing contrivance.

The play is an unabashed confession. Having had it produced may serve the author as therapy. There are things which an artist feels he *must* deliver himself of, no matter how "tasteless" the display may appear to his friends and critics. Without this release and purgation, such an artist may feel unable to proceed and renew himself. In this regard one may pray that the Salvation Army's ancient slogan, "A man may be down, but he's never out" will prove well founded. I certainly hope that *In the Bar of a Tokyo Hotel* is not Williams' last testament.

The play did not bore me for a minute. However, one of its features puzzled me: No character ever appears to finish a sentence. This device may be an attempt to convey a sort of nervous inebriate inarticulateness which frequently typifies contemporary conversation. Then again it may simply be an "economy": why finish a phrase or a sentence when half of it indicates all!

I left the theatre not thinking much about the performance—Donald Madden as the ruined painter is convincing enough; Anne Meacham as his wife *italicizes* every line she utters—but about the self in art. Henry James once said something to the effect that the artist must never put himself into his creation but that he cannot possibly keep himself out of it.

Williams is a romantic and as such is greatly concerned in revealing himself and is most interested in those works of art which clearly reveal their creators. His previous play *Gnädiges Fräulein* (the second half of *Slapstick Tragedy*) was another of his self-revelations. But what he had to say about himself there was objectified in funny, fascinating and oddly original symbols. My worry over *In the Bar of a Tokyo Hotel* is that for the most part it remains a "private" statement and thus largely dependent on how knowledgeable and how perceptive one is about the Williams "case."

The synthesis of the objective with the subjective or, to put it another way, the romantic and the classic, appears most comprehensively achieved in the theatre of the dance. Whether in the more traditional ballet of, say, Balanchine or Ashton, or the modern dance of Graham and Cunningham, the body of dance itself renders the fusion of the subjective and the objective imperative. Much modern dance is intensely subjective, but the physical demands of the form transfigure the "I" into an "it."

Whatever the critical value of this distinction may be, I am positive that visiting the various dance companies these many years has lightened the burden of my playgoing labors. Even when I fail to be "transported" I always find something to admire or, at least, to marvel at, in a way that extends my sensibilities.

For a long time, while fully recognizing Martha Graham's inestimable contribution to the dance, I could not overcome a resistance to her art. There always seemed a kind of strain in whatever she appeared to be expressing, and in her more "Freudian" creations, a kind of frustration, something at once so simplistic as well as strenuous as to give the impression of pretentiousness. (Exception should be made for her specifically American pieces.) In her "Canticle for Innocent Comedians" this season, I found much greater relaxation and above all, something I cannot describe by anything more concrete than a poetic and lofty essence. And there can be no doubt that she has shaped an ensemble which of its kind is second to none.

Paul Taylor's "Public Domain" is absorbing by its combination of athletic eroticism with a touch of the humor that is rarely entirely absent from his inventions. More and more he tends to the popular—which is no sin. Glen Tetley too has a fine company and in this year's innovations, "Embrace Tiger and Return to Mountain" and "Ziggurat," shows some of the same emphasis on sex as gymnastics which is both impressive and slightly comic. Both pieces are too long and one suspects a deficiency in the composition of satisfying entities.

As done by the Royal Ballet, even old-time "numbers" like "La Bayadère," with its opening moments in which the long stream of the corps, in gleaming white, enters and bows with lovely, high-born obeisance, are ravishing sights. In one of the novelties, the "Enigma Variations"—no great achievement as "pure" dance—it is a delight to behold how young people today can re-create the repose and sweetness of a time and place—England at the turn of the century—which they never saw. The piece is redolent of easy good manners, crowned by affectionate and dignified friendliness. All these qualities—a sort of gentleness that eschews all display of exuberant energy—are emblematic of the company's style.

Returning to the New York City Ballet, I was wholly enchanted by Balanchine's "Serenade" (his first American piece, dating from the early thirties), a work of ineffably aristocratic grace which within a limited scope achieves extraordinary variety made indelibly fragrant by the magic of Allegra Kent's superb airiness. And how dazzling within calm are Jacques d'Amboise and Patricia McBride in the "Pas de Deux" conceived by the same genius. Though the company commands a plethora of "stars" we shall miss Suzanne Farrell, who will miss Balanchine.

Recalling these experiences (to which add "Astarte" at the City Center Joffrey Ballet, perhaps "the best show" of the past two seasons), it struck me that we have lots of fun these days but very little joy.

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The hypertonic is made to suffer because he *responds to his natural compulsions.* Because of this suffering he learns about life, and is programmed by his experience to feel sympathy for unfortunates.

The catatonic, who can follow rules mechanically, does not experience such suffering, and remains ignorant about life. He becomes an ivory tower yokel, who is programmed by his pleasant pampering *to be callous and unsympathetic* to unfortunates.

The catatonic is by nature tranquilized. So he feels very little tension. Doubt and suspicion are forms of tension. Since the catatonic feels little tension, he seldom doubts. And he becomes a gullible yokel who accepts everything at face value.

The hypertonic responds to demagoguery and incitement. He engages in much foolish behavior.

The catatonic sees this, and is brainwashed into the opinion that such hypertonics are inferior, and he, as a catatonic, is superior.

This in spite of the fact that he, as a catatonic, is not made tense by warnings of danger. So he becomes a slacker. Since much lack of behavior is not overtly as unattractive as the wild behavior of the hypertonics, he permits himself to regard the latter as inferior.

It's easy for teacher's pets to condemn others who have not been pampered as they were.

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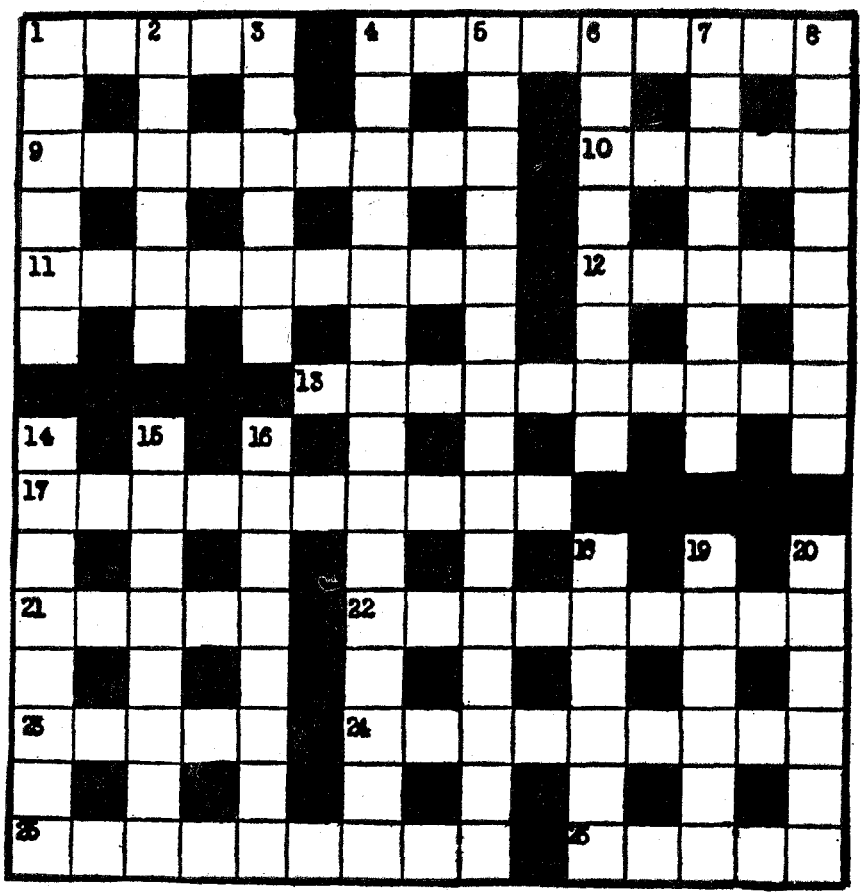
Crossword Puzzle No. 1300

FRANK W. LEWIS



ACROSS

1 Returning at 6:50 (thereabouts) should be very important. (5)
4 Bright fields, or those which only appear to be bright? (9)
9 Plain cash, with enough change for the passage. (4,5)
10 Kingdom that has to have got an old carriage as well. (5)
11 The unusually rich state of stage performances? (9)
12 Change motion, possibly. (5)
13 Useless fun is hardly broken up by practicality. (10)
17 A misleading oration without a part of the service movement? (5,5)
21 It might mean quite a bit to you and me, but it makes for an easy life. (5)
22 Spliced in a rummy way? (4,5)
23 Is the Empire State like a country to some? (5)
24 Amateur well-suited to anything but money-making. (9)
25 Naturally, sells make-up, in an ostentatiously aesthetic way. (9)
26 An attitude of caution. (5)

DOWN

1 Calls for a half-dozen poses. (6)
2 Comparatively right under the food, if it's hot? (6)
3 Find in a fix? (6)
4 One might, if they're hurdy-gurdies or horns. (4,11)
5 One doesn't want to have it, even without help. (4,11)
6 Really a bad cut to a friend or associate. (8)
7 Clarified what the performer did, perhaps. (8)
8 Miles of this sand associated with the colonies. (8)
14 She wouldn't have lost, if she hadn't stopped for a pick-up. (8)
15 Shrink from agreement? (8)
16 A little work coming up on condition one leaves the party, perhaps. (8)
18 The old land of Debussy's work (6)
19 To deflect sound might be a way to confuse you. (6)
20 1 down sits out this composition made for it. (6)

SOLUTION TO PUZZLE NO. 1299

ACROSS: 1 Preserve; 5 and 28 Flower girls; 10 Akron; 11 Northerly; 12 Omnibus; 13 Revisal; 14 Modena; 15 Thereat; 18 Ossicle; 21 Deride; 24 Make out; 26 Chancel; 27 Swordplay; 29 Nature; 30 Asperses. DOWN: 1 and 7 Play on words; 2 Erroneous; 3 Ennoble; 4 Vanessa; 6 Le Havre; 8 Rhyolite; 9 Dry rot; 16 Endocarps; 17 Formosan; 19 Chowder; 20 Extols; 21 Dactyls; 22 Reargue; 23 Closes; 25 Knout.

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